

# EXHIBIT 1

HARRIET MARIE LANE - 11/20/2019

Page 1	Page 3
<p>IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION</p> <p>HARRIET LANE, *</p> <p>Plaintiff, *</p> <p>v. * C.A. No. 4:19-cv-00435</p> <p>SIEMENS ENERGY, INC., *</p> <p>Defendant. *</p> <p>*****</p> <p>ORAL DEPOSITION OF HARRIET MARIE LANE NOVEMBER 20, 2019</p> <p>*****</p> <p>ORAL DEPOSITION of HARRIET MARIE LANE, produced as a witness at the instance of the Defendant, and duly sworn, was taken in the above-styled and numbered cause on November 20, 2019, from 9:12 a.m. to 2:59 p.m. before Constance Koenig, RMR and CSR No. 6577 in and for the State of Texas, reported by stenographic method at The Bail Law Firm, PLLC, 3120 Southwest Freeway, Suite 450, Houston, Texas 77098, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record attached hereto.</p>	<p>INDEX</p> <p>Appearances 2</p> <p>HARRIET MARIE LANE</p> <p>Examination by Ms. Grant 7</p> <p>Changes and Signature 263</p> <p>Reporter's Certificate 265</p> <p>EXHIBITS</p> <p>Exhibit 1 Résumé of Harriet Marie Lane 14 (NO BATES NUMBERS)</p> <p>Exhibit 2 Job Search Log (NO BATES NUMBERS) 26</p> <p>Exhibit 3 Certified Copy of Public Records 31 (SIEMENS-LANE_001001-088)</p> <p>Exhibit 4 Plaintiff's Response to 34 Defendant's First Set of Interrogatories to Plaintiff and Request for Production (NO BATES NUMBERS)</p> <p>Exhibit 5 Defendant Siemens Energy, Inc.'s 74 Second Supplemental Responses to Initial Discovery Protocols for Employment Cases (NO BATES NUMBERS)</p> <p>Exhibit 6 Safecall Limited Call Report SIE 78 03/17 (SIEMENS-LANE_00242-246)</p> <p>Exhibit 7 Conversation Notes Dated 85 February 8, 2017 (SIEMENS-LANE_00999)</p> <p>Exhibit 8 Chain of Emails 96 (SIEMENS-LANE_001098)</p> <p>Exhibit 9 Chain of Emails 108 (SIEMENS-LANE009189-190)</p>
<p>Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 Mr. Ashok Bail</p> <p>5 THE BAIL LAW FIRM, PLLC</p> <p>6 3120 Southwest Freeway, Suite 450</p> <p>7 Houston, Texas 77098</p> <p>8 832.216.6693</p> <p>9 ashok@baillawfirm.com</p> <p>10 FOR THE DEFENDANT:</p> <p>11 Ms. Ashlee Grant</p> <p>12 BAKER &amp; HOSTETLER LLP</p> <p>13 811 Main Street, Suite 1100</p> <p>14 Houston, Texas 77002</p> <p>15 713.646.1316</p> <p>16 agrant@bakerlaw.com</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 4</p> <p>1 Exhibit 10 Contents of a HR Investigation 117 Report Safecall Report SIE 03/17 (SIEMENS-LANE_00247-251)</p> <p>2 Exhibit 11 Siemens Energy, Inc., Memorandum 123 to Harriet Lane from Patti Davis Dated February 13, 2017 (SIEMENS-LANE_00060-062)</p> <p>3 Exhibit 12 Performance Improvement Plan 124 Dated May 22, 2017 (SIEMENS-LANE_00063)</p> <p>4 Exhibit 13 Meeting Notes, Private Meeting 133 with HR-Toni Horton &amp; Employee Harriet Lane dated July 21, 2017 (SIEMENS-LANE_00334-336)</p> <p>5 Exhibit 14 Removal of Performance 139 Improvement Plan, September 12, 2017 (SIEMENS-LANE_00066)</p> <p>6 Exhibit 15 2nd Set of Claims Two Weeks after 144 Initial Claim, August 8, 2017, (SIEMENS-LANE_00345-346)</p> <p>7 Exhibit 16 Meeting Notes, August 15, 2017 153 (SIEMENS-LANE_001117)</p> <p>8 Exhibit 17 Email (from Lane to Hubbard) 163 Dated July 25, 2016, Subject: RE: Update (SIEMENS-LANE_00436)</p> <p>9 Exhibit 18 Chain of Emails Dated July 22, 166 2016, July 25, 2018, Subject: RE: Out of the Office (SIEMENS-LANE_00438-439)</p> <p>10 Exhibit 19 Harriet Lane FY17 Goals and 183 Expectations (SIEMENS-LANE_00194-205)</p> <p>11 Exhibit 20 2016 PMP Form for Lane, Harriet 194 (SIEMENS-LANE_00187-190)</p> <p>12 Exhibit 21 Letter of Termination 217 (SIEMENS-LANE_00067-068)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

1 (Pages 1 to 4)

HARRIET MARIE LANE - 11/20/2019

Page 5	Page 7
<p>1 Exhibit 22 Delegation of Authority (DOA) 220 Position Elimination (SIEMENS-LANE_00845-846)</p> <p>2 Exhibit 23 Application For Employment 228 (SIEMENS-LANE_00001-007)</p> <p>3</p> <p>4 Exhibit 24 Offer of Employment Letter 229 (SIEMENS-LANE_00029-030)</p> <p>5 Exhibit 25 Electronic Signature Summary 231 (SIEMENS-LANE_00047-048)</p> <p>6</p> <p>7 Exhibit 26 Siemens US Policy EEO/AA Policy 233 Statement—Harassment Free Workplace (SIEMENS-LANE_00218-221)</p> <p>8 Exhibit 27 Siemens US Policy Open 234 Communication (SIEMENS-LANE_00815-816)</p> <p>9 Exhibit 28 Siemens US Policy Recording 234 Devices (SIEMENS-LANE_00791-792)</p> <p>10</p> <p>11 Exhibit 29 Siemens US Standards of Conduct 235 (SIEMENS-LANE_00211-217)</p> <p>12 Exhibit 30 Siemens US Policy Performance 236 Improvement Process (SIEMENS-LANE_00809-814)</p> <p>13 Exhibit 31 Siemens US Policy Reduction in 237 Force Process (SIEMENS-LANE_00793-796)</p> <p>14 Exhibit 32 Siemens Business Conduct 238 Guidelines (SIEMENS-LANE_00762-789)</p> <p>15 Exhibit 33 Siemens US Agreement Employee 239 Patent and Secrecy Agreement (SIEMENS-LANE_00033-039)</p> <p>16 Exhibit 34 Email (Lane to Lane) Dated 240 January 16, 2017, Subject: Work Emails Part 4 (SIEMENS-LANE_001104)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 HARRIET MARIE LANE,</p> <p>2 having been first duly sworn, testified as follows:</p> <p>3 E X A M I N A T I O N</p> <p>4 BY MS. GRANT:</p> <p>5 Q. Good morning.</p> <p>6 A. Good morning.</p> <p>7 Q. Could you please state your full name and</p> <p>8 address for the record, please.</p> <p>9 A. Harriet Lane, Harriet Marie Lane, 3022 Helmsley</p> <p>10 Drive, Pearland, Texas 77584.</p> <p>11 Q. And how long have you lived at your address in</p> <p>12 Pearland, Texas?</p> <p>13 A. Approximately five years.</p> <p>14 Q. And you are the plaintiff in a lawsuit that you</p> <p>15 filed against your former employer, Siemens Energy,</p> <p>16 Inc.?</p> <p>17 A. Yes.</p> <p>18 Q. Can we agree if I say "Siemens" or "SEI," I am</p> <p>19 referring to the Defendant Siemens Energy, Inc.?</p> <p>20 A. Yes.</p> <p>21 Q. It's a little bit of a mouthful. So I want to</p> <p>22 make sure you understand that's what I'm referring to</p> <p>23 when I use that term.</p> <p>24 My name is Ashley Grant. I represent</p> <p>25 Siemens in this lawsuit, and I'm here to just ask you</p>
Page 6	Page 8
<p>1 Exhibit 35 Email (Lane to Lane) Dated 240 January 16, 2017, Subject: Work Emails Part 5 (SIEMENS-LANE_001105-106)</p> <p>2</p> <p>3 Exhibit 36 Email (Lane to Lane) Dated 240 January 16, 2017, Subject: Work Emails Part 7 (SIEMENS-LANE_001107)</p> <p>4</p> <p>5 Exhibit 37 Email (Lane to Lane) Dated 240 May 30, 2017, Subject: Emails from Week 5/22/17 (SIEMENS-LANE_001108)</p> <p>6</p> <p>7 Exhibit 38 Email (Lane to Lane) Dated 240 September 25, 2017, Subject: Work 1 b (SIEMENS-LANE_001119-120)</p> <p>8</p> <p>9 Exhibit 39 Charge of Discrimination 245 (SIEMENS-LANE_00347-349)</p> <p>10</p> <p>11 Exhibit 40 Amended Charge of Discrimination 247 (NO BATES NUMBERS)</p> <p>12 Exhibit 41 Equal Employment Opportunity 248 Commission Notice of Right to Sue (SIEMENS-LANE_00355)</p> <p>13 Exhibit 42 Plaintiff's Amended Complaint 249 (NO BATES NUMBERS)</p> <p>14</p> <p>15 Exhibit 43 Plaintiff's Initial Discovery For 252 Employment Cases (NO BATES NUMBERS)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 some questions about your lawsuit and the claims here</p> <p>2 today.</p> <p>3 Have you ever given your deposition</p> <p>4 before?</p> <p>5 A. No.</p> <p>6 Q. So before we start, I want to go over some</p> <p>7 ground rules both for you and I's benefit. The first</p> <p>8 one, as you notice, we have this lovely Court Reporter</p> <p>9 sitting here to my left. She's typing every single word</p> <p>10 you and I state here today. Because of that, I'm going</p> <p>11 to ask that you give verbal answers so that she can make</p> <p>12 sure we get your answers down. For example, don't nod,</p> <p>13 shake your head, give a yes or a no. Along those same</p> <p>14 lines, no uh-huhs or huh-uhs. They don't read right or</p> <p>15 it may be unclear what your answer is.</p> <p>16 So can you agree to give me verbal</p> <p>17 answers?</p> <p>18 A. Yes.</p> <p>19 Q. Very good. And do you understand that you are</p> <p>20 under oath here today as if you are testifying in court?</p> <p>21 A. Yes.</p> <p>22 Q. And that your answers will be truthful and</p> <p>23 accurate to the best of your knowledge?</p> <p>24 A. Yes.</p> <p>25 Q. Are you on any medications that may prevent you</p>

2 (Pages 5 to 8)

HARRIET MARIE LANE - 11/20/2019

Page 9	Page 11
<p>1 from testifying truthfully or accurately here today?</p> <p>2 A. No.</p> <p>3 Q. If you do not recall an answer, please feel</p> <p>4 free to say so. Also, if you don't understand my</p> <p>5 question, please ask me to reask it; otherwise, if you</p> <p>6 do answer, I will just go ahead and assume that you</p> <p>7 understood the question that I was asking. Understood?</p> <p>8 A. Yes.</p> <p>9 Q. Along the lines of going back to having this</p> <p>10 Court Reporter here, it's hard to write down or respond</p> <p>11 to what we're saying when two people talk over each</p> <p>12 other. So along those line, if you could please wait</p> <p>13 until I finish my question to give your answer, that</p> <p>14 will make sure we have got a clear record. Okay?</p> <p>15 A. Yes.</p> <p>16 Q. And also along those same lines, I will try to</p> <p>17 wait for you to finish your answer until I start my</p> <p>18 question. This is the hardest part I will say for</p> <p>19 ground rules on both sides.</p> <p>20 A. I understand.</p> <p>21 Q. And I always try to wait, too, because this is</p> <p>22 a good practice of getting used to the format.</p> <p>23 What did you do to prepare for your</p> <p>24 deposition here today?</p> <p>25 A. Conversations, reading documents, conversations</p>	<p>1 Q. Are there any documents or information that you</p> <p>2 have related to your lawsuit that you have not produced</p> <p>3 to your attorney in this matter?</p> <p>4 A. No.</p> <p>5 Q. Let's start with a little bit of your</p> <p>6 background.</p> <p>7 Are you currently married?</p> <p>8 A. No.</p> <p>9 Q. What is your education background?</p> <p>10 A. Highest level of education, master's.</p> <p>11 Q. And where did you receive your master's?</p> <p>12 A. Indiana Wesleyan University, Marion, Indiana.</p> <p>13 Q. I'm from Indiana. A lot of people aren't from</p> <p>14 Indiana.</p> <p>15 What was your master's in?</p> <p>16 A. Business.</p> <p>17 Q. And what about your undergrad?</p> <p>18 A. That was in general studies with a</p> <p>19 concentration in social and behavior science.</p> <p>20 Q. Was that also at Indiana Wesleyan?</p> <p>21 A. Indiana University, Purdue University.</p> <p>22 Q. IUPUI?</p> <p>23 A. Yes.</p> <p>24 Q. Are you currently employed?</p> <p>25 A. I have my -- I'm a subcontractor consultant.</p>
Page 10	Page 12
<p>1 with my attorney, reading documents.</p> <p>2 Q. Without telling me the contents of those</p> <p>3 conversations with your attorney, did you meet with him</p> <p>4 in person or was it on the phone?</p> <p>5 A. We have had both phone and in-person meetings.</p> <p>6 Q. And how many meetings have you had to prepare</p> <p>7 for this deposition?</p> <p>8 A. That I can't recall.</p> <p>9 Q. You said you reviewed documents to prepare, as</p> <p>10 well?</p> <p>11 A. Yes.</p> <p>12 Q. Do you recall what documents you prepared?</p> <p>13 A. The court filing information from the</p> <p>14 defendant, from you-all. So those are some of the</p> <p>15 documents that I reviewed.</p> <p>16 Q. When you say "information," are you referring</p> <p>17 to documents that we produced in this litigation?</p> <p>18 A. Yes.</p> <p>19 Q. Did you speak with anyone else besides your</p> <p>20 attorney to prepare for today?</p> <p>21 A. No.</p> <p>22 Q. Have you had any emails or text-messages or</p> <p>23 instant-message communications with anyone about your</p> <p>24 deposition here today, other than your attorney?</p> <p>25 A. No.</p>	<p>1 Q. So you provide certain services to companies on</p> <p>2 a 1099 basis?</p> <p>3 A. Yes.</p> <p>4 Q. And to whom do you provided these subcontracts?</p> <p>5 A. It varies.</p> <p>6 Q. Do you have any long-standing consultant</p> <p>7 agreements, or is it a project-by-project basis?</p> <p>8 A. Project-by-project basis.</p> <p>9 Q. And how long have you been a consultant?</p> <p>10 A. I have been doing that off and on, just off and</p> <p>11 on since I got laid off.</p> <p>12 Q. And approximately how many projects are you</p> <p>13 currently working on at this time?</p> <p>14 A. I don't have any right now.</p> <p>15 Q. How many on average would you typically say you</p> <p>16 have in any given time?</p> <p>17 A. Maybe one or two.</p> <p>18 Q. Are these for different clients, or do you have</p> <p>19 a repeat clients?</p> <p>20 A. Different clients, different clients.</p> <p>21 Q. And typically how long are your projects?</p> <p>22 A. They can go six months.</p> <p>23 Q. Is six months the longest, typically?</p> <p>24 A. Yes.</p> <p>25 Q. And what's the shortest you have had a project</p>

3 (Pages 9 to 12)

HARRIET MARIE LANE - 11/20/2019

Page 13	Page 15
<p>1 last?</p> <p>2 A. Maybe 12 weeks.</p> <p>3 Q. And what type of consulting services do you</p> <p>4 provide?</p> <p>5 A. Training, auditing.</p> <p>6 Q. What type of training?</p> <p>7 A. Training on ISO standards, training on their</p> <p>8 procedures, their business process procedures, training</p> <p>9 on API, Q1, Q2.</p> <p>10 Q. And is this auditing and training services that</p> <p>11 you provide similar to the services or your duties that</p> <p>12 you had while you worked at Siemens?</p> <p>13 A. No.</p> <p>14 Q. And with respect to the consulting services,</p> <p>15 does the 1099 go to you individually, or do you work</p> <p>16 through another company to place you at these projects?</p> <p>17 A. It comes to me. I receive it.</p> <p>18 Q. So there is a company that places you at the</p> <p>19 different projects?</p> <p>20 A. Uh-huh.</p> <p>21 Q. And what is that company?</p> <p>22 A. Perry Johnson is one of them.</p> <p>23 Q. Any others?</p> <p>24 A. Mireaux Management Solutions.</p> <p>25 Q. Mireaux?</p>	<p>1 Q. You'd said earlier right now you don't have any</p> <p>2 projects. Other than right now, have there been other</p> <p>3 periods of time when you haven't had any projects or</p> <p>4 assignments?</p> <p>5 A. Yes.</p> <p>6 Q. Do you recall when those periods were?</p> <p>7 A. Not really. It varies.</p> <p>8 Q. Is it more often than not you have a project</p> <p>9 going on?</p> <p>10 A. Right now this is a slow period for me. So</p> <p>11 sometimes I do have projects going. I mean, it varies.</p> <p>12 So right now -- most of the time I do have some kind of</p> <p>13 project going on.</p> <p>14 Q. And with respect to Mireaux Management, do you</p> <p>15 get to choose the projects that you are placed on?</p> <p>16 A. No. So they'll tell me this is what I have,</p> <p>17 and then, yes, I do get to select them.</p> <p>18 Q. So you can reject a project or accept one if</p> <p>19 you choose?</p> <p>20 A. Right.</p> <p>21 Q. Have you rejected projects that Mireaux</p> <p>22 Management has given you?</p> <p>23 A. No.</p> <p>24 Q. Do you recall any specific projects or clients</p> <p>25 that Mireaux Management Solutions has placed you on?</p>
Page 14	Page 16
<p>1 A. M-I-R-E-A-U-X Management Solutions.</p> <p>2 Q. Any others?</p> <p>3 A. Not now.</p> <p>4 Q. Any others since your layoff?</p> <p>5 A. It was called LRQA Lloyds, L-L-O-Y-D-S.</p> <p>6 (Exhibit 1 was marked.)</p> <p>7 Q. (BY MS. GRANT) I'm handing you what has been</p> <p>8 marked as Exhibit 1, which is a document you produced in</p> <p>9 this litigation. That is your résumé.</p> <p>10 Do you recognize Exhibit 1?</p> <p>11 A. Yes.</p> <p>12 Q. And at the bottom here under "Professional</p> <p>13 Experience" it does list a number of companies, the</p> <p>14 first one being Mireaux Management Solutions.</p> <p>15 Is this the company that you say places</p> <p>16 you on different projects that we discussed?</p> <p>17 A. Yes.</p> <p>18 Q. So it says you have been working with them</p> <p>19 since January of 2018?</p> <p>20 A. Yes.</p> <p>21 Q. And are you still working with them?</p> <p>22 A. Yes.</p> <p>23 Q. And how many projects have you been placed on</p> <p>24 through Mireaux Management Solutions?</p> <p>25 A. That I can't recall.</p>	<p>1 A. Yes.</p> <p>2 Q. Which ones have you received through Mireaux</p> <p>3 Management?</p> <p>4 A. One has been Chemjet.</p> <p>5 Q. And how long was your assignment with Chemjet?</p> <p>6 A. That was about six months or so.</p> <p>7 Q. Was that the auditing and training services we</p> <p>8 discussed earlier?</p> <p>9 A. Yes. So that was auditing, that was the</p> <p>10 consulting.</p> <p>11 Q. And do you recall how much you made when you</p> <p>12 were working with Chemjet?</p> <p>13 A. No.</p> <p>14 Q. Do you recall whether it was more or less than</p> <p>15 what you made when you were working for Siemens?</p> <p>16 A. It was less.</p> <p>17 Q. Do you remember the six-month period you worked</p> <p>18 for Chemjet?</p> <p>19 A. I want to say it was maybe March last year,</p> <p>20 started March of last year.</p> <p>21 Q. So approximately March to September 2018?</p> <p>22 A. Uh-huh.</p> <p>23 Q. What other projects have you received through</p> <p>24 Mireaux Management?</p> <p>25 A. Another one called Epic, E-P-I-C. That one</p>

4 (Pages 13 to 16)

HARRIET MARIE LANE - 11/20/2019

Page 17	Page 19
<p>1 wasn't finished. It went bankrupt.</p> <p>2 Q. And what kind of consulting services did you</p> <p>3 provide to Epic?</p> <p>4 A. Similar to Chemjet, the auditing, the</p> <p>5 consulting.</p> <p>6 Q. And do you recall how much you made while you</p> <p>7 were on the project with Epic?</p> <p>8 A. Not right off, no.</p> <p>9 Q. Do you recall if it was more or less than what</p> <p>10 you made while working for Siemens?</p> <p>11 A. Less.</p> <p>12 Q. Do you recall how long you were working on the</p> <p>13 project with Epic?</p> <p>14 A. Maybe that one was about six months, too,</p> <p>15 maybe. Three to six months, something like that.</p> <p>16 Q. And do you recall when you were performing</p> <p>17 these services for Epic?</p> <p>18 A. I would be guessing, so I don't want to guess.</p> <p>19 I can't remember.</p> <p>20 Q. I appreciate that, to please not guess.</p> <p>21 Do you remember whether it was before or</p> <p>22 after Chemjet?</p> <p>23 A. After.</p> <p>24 Q. Any other projects that you were placed on</p> <p>25 through Mireaux Management Solutions?</p>	<p>1 assignment, are you paid by the day or the hour?</p> <p>2 A. Day.</p> <p>3 Q. What is your daily rate when you do internal</p> <p>4 auditing?</p> <p>5 A. That's about \$400, if it's a day. If it's a</p> <p>6 full day.</p> <p>7 Q. Are they typically a full day, or can they be</p> <p>8 half days?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember any of the -- specifically the</p> <p>11 ten assignments you have done through Mireaux</p> <p>12 Management?</p> <p>13 A. Those have been various ones, various clients,</p> <p>14 oil and gas clients mainly in the Houston area and</p> <p>15 throughout.</p> <p>16 Q. Throughout Texas or?</p> <p>17 A. Yes, and other states as well.</p> <p>18 Q. What other states?</p> <p>19 A. Louisiana, Mississippi.</p> <p>20 Q. And with the internal auditing, is it similar</p> <p>21 to the consulting services where you can choose to</p> <p>22 accept an audit project or decline one?</p> <p>23 A. Uh-huh.</p> <p>24 Q. And have you ever declined an audit assignment</p> <p>25 from Mireaux Management?</p>
Page 18	Page 20
<p>1 A. Those are the only consulting.</p> <p>2 Q. Other than consulting, has there been any other</p> <p>3 projects or placements you have received through Mireaux</p> <p>4 Management?</p> <p>5 A. The auditing, the internal auditing.</p> <p>6 Q. And what internal auditing projects have you</p> <p>7 been placed on?</p> <p>8 A. Those have been different companies, internal</p> <p>9 auditing for ISO 9001, 14001, API Q1 and Q2, just</p> <p>10 internal auditing, various clients.</p> <p>11 Q. It's my understanding you testified earlier</p> <p>12 that this is different than the type of duties you had</p> <p>13 while you were working at Siemens.</p> <p>14 A. Right.</p> <p>15 Q. How long would your internal auditing</p> <p>16 assignments or projects last?</p> <p>17 A. So maybe one day, two-day audit.</p> <p>18 Q. Those there are much more short-term as opposed</p> <p>19 to the long-term training and consulting projects we</p> <p>20 discussed earlier?</p> <p>21 A. Yes.</p> <p>22 Q. And approximately how many internal auditing</p> <p>23 assignments have you received through Mireaux?</p> <p>24 A. Maybe about ten.</p> <p>25 Q. And when you are doing an internal auditing</p>	<p>1 A. No.</p> <p>2 Q. Other than the approximately ten audits and the</p> <p>3 two Epic and Chemjet consulting projects, have you</p> <p>4 received any other placements through Mireaux</p> <p>5 Management?</p> <p>6 A. Training like on the standards, the ISO</p> <p>7 standards, the API standards. Training on the ISO</p> <p>8 standards, like 9001, just the 9001 and lead auditor</p> <p>9 training.</p> <p>10 Q. Where you go in and train an auditor for a</p> <p>11 company to then do the audits at a later date?</p> <p>12 A. Right.</p> <p>13 Q. And is this similar or different than duties</p> <p>14 you performed when you were at Siemens?</p> <p>15 A. Different.</p> <p>16 Q. And when you get a training assignment, how</p> <p>17 long does that typically last?</p> <p>18 A. Those can be maybe two to three days.</p> <p>19 Q. And again, do you charge by the day or the</p> <p>20 hour?</p> <p>21 A. Yes.</p> <p>22 Q. Which one, the day --</p> <p>23 A. The day.</p> <p>24 Q. And is that the \$400 day rate, or is that</p> <p>25 different?</p>

5 (Pages 17 to 20)

HARRIET MARIE LANE - 11/20/2019

Page 21	Page 23
<p>1 A. 400.</p> <p>2 Q. Approximately how many trainings have you been</p> <p>3 placed on for Mireaux Management?</p> <p>4 A. Maybe 3.</p> <p>5 Q. Do you recall the dates of when those were?</p> <p>6 A. I just did one earlier this month, and then I</p> <p>7 want to say I did one in the fall. So those have all</p> <p>8 been in 2019.</p> <p>9 Q. The next one on Exhibit 1 you have listed</p> <p>10 is -- or I guess backing up, is there any other projects</p> <p>11 or placements you have received through Mireaux</p> <p>12 Management?</p> <p>13 A. No, just the consulting, auditing and training.</p> <p>14 Q. And the next one we have got is Perry Johnson,</p> <p>15 who you mentioned earlier, too. Is that a similar</p> <p>16 company as Mireaux Management?</p> <p>17 A. No.</p> <p>18 Q. What kind of company is Perry Johnson?</p> <p>19 A. So that's the certification body. That's the</p> <p>20 registrar. They're the registrar certification body,</p> <p>21 same difference.</p> <p>22 Q. And so they provide the certifications that you</p> <p>23 are given the training and the auditing on, correct?</p> <p>24 A. Yes.</p> <p>25 Q. And they, also, it sounds have a way of placing</p>	<p>1 A. No.</p> <p>2 Q. And have you ever -- strike that.</p> <p>3 Are you accepting assignments for Perry</p> <p>4 Johnson and Mireaux at the same time?</p> <p>5 A. I can, yes.</p> <p>6 Q. And --</p> <p>7 A. As long as there is no conflict.</p> <p>8 Q. Meaning the day of an audit or the day of a</p> <p>9 training?</p> <p>10 A. Uh-huh.</p> <p>11 Q. And just so you know, when I say "strike that,"</p> <p>12 that's just a direction to her just to back up kind of</p> <p>13 what I said. I saw you and you were like, What is she</p> <p>14 saying?</p> <p>15 And it's says here you have been receiving</p> <p>16 placements with Perry Johnson through November 2017 to</p> <p>17 present?</p> <p>18 A. Uh-huh. Yes.</p> <p>19 Q. And where have your audits been with Perry</p> <p>20 Johnson?</p> <p>21 A. That's been all over the United States,</p> <p>22 Houston, Longview, other states like up north like</p> <p>23 Pennsylvania, yeah.</p> <p>24 Q. In your consulting work do you have any</p> <p>25 employees that report to you?</p>
Page 22	Page 24
<p>1 you to do similar projects or assignments related to</p> <p>2 those certifications?</p> <p>3 A. Yes.</p> <p>4 Q. And how many placements have you received</p> <p>5 through Perry Johnson Registrar?</p> <p>6 A. That's been quite a number. So that's been</p> <p>7 quite a few. I don't recall the exact number.</p> <p>8 Q. Are those the long-term consulting projects we</p> <p>9 discussed?</p> <p>10 A. These are all auditing. This is all auditing.</p> <p>11 External auditing. Yes, most of those are one day.</p> <p>12 Q. And what is your day rate through Perry</p> <p>13 Johnson?</p> <p>14 A. 250, 300.</p> <p>15 Q. What is your day rate now?</p> <p>16 A. 300.</p> <p>17 Q. And is this again the same type of situation</p> <p>18 where you can reject an assignment or accept one?</p> <p>19 A. Yes.</p> <p>20 Q. And have you rejected any assignments or audits</p> <p>21 that Perry Johnson has given you?</p> <p>22 A. Some.</p> <p>23 Q. And the assignments that you receive through</p> <p>24 Perry Johnson, are these similar to the types of duties</p> <p>25 that you had while you were working for Siemens?</p>	<p>1 A. No.</p> <p>2 Q. Just a single consulting service?</p> <p>3 A. Yes.</p> <p>4 Q. Below Perry Johnson you have got LRQA</p> <p>5 Registrar, which is the other entity that you listed</p> <p>6 earlier. What kind of services or consulting projects</p> <p>7 do you receive through LRQA?</p> <p>8 A. That's another registrar like Perry Johnson.</p> <p>9 Q. And do you receive the audit assignments like</p> <p>10 you do through Perry Johnson?</p> <p>11 A. Yes. Not anymore. I don't work for them</p> <p>12 anymore.</p> <p>13 Q. When did you stop working for -- accepting</p> <p>14 projects from LRQA?</p> <p>15 A. I want to say -- was it last summer? I don't</p> <p>16 know. Earlier this summer, something like that. I was</p> <p>17 a subcontractor, so they didn't need the services</p> <p>18 anymore.</p> <p>19 Q. With respect to Mireaux, Perry Johnson or LRQA,</p> <p>20 have you ever been offered the opportunity to become a</p> <p>21 full-time employee with them?</p> <p>22 A. No.</p> <p>23 Q. It's solely been this independent contractor</p> <p>24 1099 services?</p> <p>25 A. Yes.</p>

6 (Pages 21 to 24)



HARRIET MARIE LANE - 11/20/2019

Page 25	Page 27
<p>1 Q. With LRQA we talked about the auditing. Do you</p> <p>2 provide any training projects or consulting?</p> <p>3 A. No. Just external auditing.</p> <p>4 Q. And these are the one-day assignments we</p> <p>5 discussed before?</p> <p>6 A. Sometimes they may be more than one day. They</p> <p>7 used to be more than one day.</p> <p>8 Q. What's the maximum an audit would take?</p> <p>9 A. Five days.</p> <p>10 Q. Have you had many five-day assignments through</p> <p>11 LRQA or Perry Johnson?</p> <p>12 A. No.</p> <p>13 Q. That's a long time.</p> <p>14 Are they typically a day or on average?</p> <p>15 A. One to two, typically two days at least or a</p> <p>16 day and a half.</p> <p>17 Q. And what's your rate for LRQA or was your rate?</p> <p>18 A. Okay. So you're talking about LRQA now?</p> <p>19 Q. Yes.</p> <p>20 A. That one I want to say was about 500.</p> <p>21 Q. And you said you stopped providing services</p> <p>22 because they said it was no longer needed?</p> <p>23 A. Right.</p> <p>24 Q. And how many assignments or audits did you</p> <p>25 receive or were placed on through LRQA?</p>	<p>1 reason for the unavailability?</p> <p>2 A. Both. It could be personal related. It could</p> <p>3 be because I'm going work for another one of the</p> <p>4 services -- another one of the companies that I provide</p> <p>5 subcontractor services to.</p> <p>6 Q. Is there any other company besides the three we</p> <p>7 have gone over that you have provided consulting</p> <p>8 services to?</p> <p>9 A. No.</p> <p>10 Q. In your --</p> <p>11 A. Just so you know, just for correction, so</p> <p>12 Mireaux is the only one that's consulting. These other</p> <p>13 two are external auditing.</p> <p>14 Q. I appreciate the clarification.</p> <p>15 And then Mireaux you also do the training,</p> <p>16 correct?</p> <p>17 A. Yeah. So that's the training, the internal</p> <p>18 auditing and the consulting.</p> <p>19 Q. While Perry Johnson and LRQA are just auditing?</p> <p>20 A. External auditing.</p> <p>21 Q. And what's the different between internal and</p> <p>22 external auditing?</p> <p>23 A. So external, the companies that Perry Johnson</p> <p>24 or LRQA would send me to, these companies like Shell or</p> <p>25 Conoco, they're certified to like ISO 9001. So I'm just</p>
Page 26	Page 28
<p>1 A. Not many, maybe five, approximately five. And</p> <p>2 this is just guessing if I'm telling you numbers,</p> <p>3 because I don't have the log in front of me.</p> <p>4 (Exhibit 2 was marked.)</p> <p>5 Q. (BY MS. GRANT) I'm handing you what's been</p> <p>6 marked as Exhibit 2. You had just mentioned a log. So</p> <p>7 is this the log you are referring to?</p> <p>8 A. No.</p> <p>9 Q. Okay. So we'll get back to this real quick.</p> <p>10 But going back to LRQA, were there any instances where</p> <p>11 you rejected any placements or assignments?</p> <p>12 A. Rejected, yes.</p> <p>13 Q. Do you recall how many instances or times?</p> <p>14 A. No.</p> <p>15 Q. And with LRQA what would cause you to reject an</p> <p>16 assignment?</p> <p>17 A. Unavailable.</p> <p>18 Q. And you had said earlier you rejected some</p> <p>19 assignments with Perry Johnson. Would that be because</p> <p>20 you were unavailable for those?</p> <p>21 A. Right.</p> <p>22 Q. And the same with Mireaux Management?</p> <p>23 A. Yes, uh-huh.</p> <p>24 Q. And for the unavailability, was that related to</p> <p>25 another project or a personal endeavor or the typical</p>	<p>1 going in -- because they're already certified, I'm just</p> <p>2 going in to confirm that they comply to whatever</p> <p>3 certification that they have in place. So that's the</p> <p>4 external.</p> <p>5 Whereas, if I worked -- if I go to like a</p> <p>6 Shell and I'm doing the internal audit but I'm doing it</p> <p>7 as a subcontractor on behalf of Shell as their internal</p> <p>8 auditor. Instead of, you know, yourself doing it if you</p> <p>9 worked there and they would subcontract myself to do it</p> <p>10 on their behalf.</p> <p>11 Q. Understood. Thank you for that.</p> <p>12 Have you ever had any internal auditing</p> <p>13 placements since your termination from Siemens?</p> <p>14 A. Uh-huh, through Mireaux.</p> <p>15 Q. So Mireaux does internal while Perry Johnson</p> <p>16 and LRQA do external?</p> <p>17 A. Right.</p> <p>18 Q. Understood. Thank you.</p> <p>19 In addition to the consulting work, it</p> <p>20 looks like Exhibit 2 is a job search log. And does this</p> <p>21 log outline the positions you have applied for for</p> <p>22 permanent employed, or what are the list of jobs here on</p> <p>23 Exhibit 2?</p> <p>24 A. So these are permanent positions that I have</p> <p>25 applied for, and then maybe DNV and BSI more subcontract</p>

7 (Pages 25 to 28)



HARRIET MARIE LANE - 11/20/2019

<p style="text-align: right;">Page 29</p> <p>1 stuff or jobs.</p> <p>2 Q. And I see here you have got noted on here the</p> <p>3 instances where you received an interview, correct?</p> <p>4 A. Right.</p> <p>5 Q. Does Exhibit 2 reflect all of the instances of</p> <p>6 job searches outside of the Mireaux, Perry Johnson and</p> <p>7 LRQA that you have undertaken since your termination?</p> <p>8 A. That I have searched for?</p> <p>9 Q. Yes.</p> <p>10 A. Yes, that I recall, that I can recall at the</p> <p>11 time.</p> <p>12 Q. So according to Exhibit 2, the last time you</p> <p>13 applied for a separate position was approximately one</p> <p>14 year ago with ABS Group?</p> <p>15 A. Yes.</p> <p>16 Q. And would that be one year ago from around now</p> <p>17 or -- I know we produced these approximately a couple</p> <p>18 months ago. Do you recall when that one-year-ago</p> <p>19 benchmark is?</p> <p>20 A. No, because like I said, I would have to go</p> <p>21 look at the history in LinkedIn or in whatever job</p> <p>22 search I'm using at the time.</p> <p>23 Q. And you actually came to my next question, how</p> <p>24 were you applying to these positions? Mostly online?</p> <p>25 A. Right.</p>	<p style="text-align: right;">Page 31</p> <p>1 A. When I was terminated.</p> <p>2 Q. Did Siemens oppose your unemployment claim?</p> <p>3 A. Not that I am aware of.</p> <p>4 (Exhibit 3 was marked.)</p> <p>5 Q. (BY MS. GRANT) I'm handing you what's been</p> <p>6 marked Exhibit 3. Exhibit 3 are records, certified</p> <p>7 records from the Texas Unemployment Commission regarding</p> <p>8 your request for unemployment.</p> <p>9 I just want to verify, with respect to how</p> <p>10 much you earned in benefits, would you assume -- do you</p> <p>11 recall off the top of your head how much you received?</p> <p>12 A. No.</p> <p>13 Q. And would these records be the most accurate</p> <p>14 place to find that information?</p> <p>15 A. Probably.</p> <p>16 Q. Do you recall approximately how many weeks you</p> <p>17 received unemployment?</p> <p>18 A. No.</p> <p>19 Q. If you could turn on Exhibit 3 if you look at</p> <p>20 the bottom left-hand corner, you see where it says</p> <p>21 "Siemens-Lane" and there are numbers? Those are called</p> <p>22 Bates numbers.</p> <p>23 A. Okay.</p> <p>24 Q. If you could turn to the Bates-numbered</p> <p>25 page 1003. It's towards the front.</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. Did you ever receive any offers for employment</p> <p>2 from the companies listed here?</p> <p>3 A. No.</p> <p>4 Q. Overall in your work as a consultant, are you</p> <p>5 receiving more or less in total than what you earned</p> <p>6 from Siemens?</p> <p>7 A. Less.</p> <p>8 Q. And how much did you earn while you worked at</p> <p>9 Siemens?</p> <p>10 A. I don't have that information in front of me.</p> <p>11 I know it was over 90,000.</p> <p>12 Q. That would be in the company's payroll records?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Approximately what is your aggregate income as</p> <p>15 a consultant since you have been terminated?</p> <p>16 A. This year I haven't reached anywhere half of</p> <p>17 what I made for -- like I said, I don't have it in front</p> <p>18 of me. I would be guessing at this point.</p> <p>19 Q. But that could be received from your tax</p> <p>20 records?</p> <p>21 A. Yes.</p> <p>22 Q. At any time since your termination from</p> <p>23 Siemens, have you received unemployment benefits?</p> <p>24 A. Yes.</p> <p>25 Q. When did you start receiving unemployment?</p>	<p style="text-align: right;">Page 32</p> <p>1 A. Okay.</p> <p>2 Q. If you look at the type here it says -- I do</p> <p>3 just want to go over some information here. It's about</p> <p>4 a third of the way through the top it says, "Last</p> <p>5 employment detail." And it has two columns of</p> <p>6 information. For separation type it says, "Permanent</p> <p>7 layoff."</p> <p>8 Is that correct, that you reported to the</p> <p>9 Texas unemployment that you were terminated as part of a</p> <p>10 permanent layoff?</p> <p>11 A. Yes.</p> <p>12 Q. And if you turn to a page 1022. 1022 is a</p> <p>13 Statement of Wages and Potential Benefits Amounts, and</p> <p>14 it's a copy of something that was mailed.</p> <p>15 Do you recall receiving this in the mail</p> <p>16 from the Texas Unemployment Commission?</p> <p>17 A. Probably so.</p> <p>18 Q. At the bottom here it says your weekly benefit</p> <p>19 amount would be \$494 per week. Do you know if that's</p> <p>20 approximately how much you earned in unemployment</p> <p>21 benefits?</p> <p>22 A. Yes.</p> <p>23 Q. And it says the maximum you could receive is</p> <p>24 approximately \$12,844; is that correct?</p> <p>25 A. Okay.</p>

8 (Pages 29 to 32)

HARRIET MARIE LANE - 11/20/2019

Page 33	Page 35
<p>1 Q. Or I guess do you have any reason to doubt --</p> <p>2 A. No.</p> <p>3 Q. -- to contest that?</p> <p>4 A. Uh-uh.</p> <p>5 Q. And is this the amount of unemployment wages</p> <p>6 that you collected in this matter?</p> <p>7 A. Yes. I mean, if it says it here.</p> <p>8 Q. Are you receiving any other financial</p> <p>9 assistance other than unemployment?</p> <p>10 A. No.</p> <p>11 Q. Do you have any other sources of income besides</p> <p>12 the consulting that we have discussed and unemployment?</p> <p>13 A. And unemployment?</p> <p>14 Q. Yes.</p> <p>15 A. No. I mean, I have benefits for my children,</p> <p>16 but that's for them.</p> <p>17 Q. Other than this lawsuit, have you ever been a</p> <p>18 party to a lawsuit or litigation?</p> <p>19 A. No.</p> <p>20 Q. Other than the charge of discrimination you</p> <p>21 filed with the EEOC, have you filed any other -- the</p> <p>22 charge you filed against Siemens, have you filed any</p> <p>23 other charges of discrimination against an employer?</p> <p>24 A. No.</p> <p>25 Q. Have you ever been charged with a felony or</p>	<p>1 MS. GRANT: I do not.</p> <p>2 MR. BAIL: I have the interrogatories in</p> <p>3 front of me on my computer.</p> <p>4 MS. GRANT: Can we go off the record for a</p> <p>5 second?</p> <p>6 (A recess was taken.)</p> <p>7 Q. (BY MS. GRANT) I am handing you what's now</p> <p>8 been marked as Exhibit 4, which are your interrogatory</p> <p>9 responses.</p> <p>10 And did you verify that your responses</p> <p>11 were truthful and accurate to the best of your</p> <p>12 knowledge?</p> <p>13 A. Yes.</p> <p>14 Q. And it's your contention these are still</p> <p>15 truthful and accurate?</p> <p>16 A. Yes.</p> <p>17 Q. Turning to Interrogatory No. 1, we asked you to</p> <p>18 identify every person that you believed had knowledge</p> <p>19 relevant to your claims. And in response to Exhibit 1</p> <p>20 you named three people.</p> <p>21 A. What page are we on?</p> <p>22 Q. It's page 4. That one.</p> <p>23 Do you see the people you listed there?</p> <p>24 A. Yes.</p> <p>25 Q. You listed Melissa Shovelski, Kathy DeGeorge</p>
Page 34	Page 36
<p>1 misdemeanor?</p> <p>2 A. No.</p> <p>3 (Exhibit 4 was marked.)</p> <p>4 Q. (BY MS. GRANT) I'm handing you what's been</p> <p>5 marked as Exhibit 4. Exhibit 4 is titled "Plaintiff's</p> <p>6 Responses to Defendant's First Set of Interrogatories."</p> <p>7 As part of litigation, one of the things that parties do</p> <p>8 is exchange written questions that you provide answers</p> <p>9 to. So in this case Siemens provided you or served you</p> <p>10 with interrogatories and these are your purported</p> <p>11 answers to these interrogatories.</p> <p>12 Do you recall seeing Exhibit 4 before?</p> <p>13 A. Yes.</p> <p>14 Q. And did you review these answers before you</p> <p>15 provided them to your attorney/Siemens?</p> <p>16 A. Yes.</p> <p>17 Q. And did you understand or did you verify that</p> <p>18 the answers in these interrogatories are truthful and</p> <p>19 accurate to the best of your knowledge or ability?</p> <p>20 A. Yes.</p> <p>21 Q. I want to turn to Interrogatory No. 1. So it's</p> <p>22 on page 4.</p> <p>23 MR. BAIL: Page 4 is missing -- it was</p> <p>24 here -- wait a second. We don't have pages 4, 5, 6 and</p> <p>25 7. Do you?</p>	<p>1 and Kimberly Long. I want to ask you some questions</p> <p>2 about each of these three individuals.</p> <p>3 First, who is Melissa Shovelski?</p> <p>4 A. She's an employee at Siemens.</p> <p>5 Q. And what is Ms. Shovelski's race?</p> <p>6 A. She's a Caucasian.</p> <p>7 Q. And I assume she's a female.</p> <p>8 A. Yes.</p> <p>9 Q. And to your knowledge, is she currently</p> <p>10 employed by Siemens?</p> <p>11 A. I'm not sure.</p> <p>12 Q. When is the last time you spoke with</p> <p>13 Ms. Shovelski?</p> <p>14 A. Shortly after -- the week after -- the week of</p> <p>15 my termination.</p> <p>16 Q. Did you speak with her after you had been</p> <p>17 terminated?</p> <p>18 A. Yes.</p> <p>19 Q. At the time --</p> <p>20 A. Well, speak, no. She sent me a text.</p> <p>21 Q. Other than the text she sent you the same week</p> <p>22 of your termination, have you had any other</p> <p>23 communications?</p> <p>24 A. Not that I can recall. I don't recall.</p> <p>25 Q. And what was the basis or the nature of her</p>

9 (Pages 33 to 36)

HARRIET MARIE LANE - 11/20/2019

Page 37

1 text?

2 A. Saying that she heard about what happened.

3 Q. That you were laid off?

4 A. Yes.

5 Q. What was her position at Siemens?

6 A. I don't remember the title.

7 Q. Was she your supervisor or your peer?

8 A. Peer.

9 Q. Did you ever supervise Ms. Shovelski?

10 A. She was never my employee.

11 Q. Was she in the same group or division as you?

12 A. She was at Siemens. She was in project

13 management.

14 Q. Do you recall who her supervisor was?

15 A. I want to say Ravi, but I'll be guessing.

16 Q. How was your relationship with Ms. Shovelski?

17 A. What do you mean?

18 Q. Was it friendly, positive, negative?

19 A. Friendly, positive.

20 Q. What knowledge does Ms. Shovelski have about

21 your claims?

22 A. None that I'm aware of. I mean, what do you

23 mean? As far as discrimination and race?

24 Q. Yes, the claims in this lawsuit.

25 A. I didn't tell her that I was filing a lawsuit.

Page 38

1 Q. I guess what knowledge did she have that would

2 be relevant to your lawsuit here today?

3 A. She's witnessed some of the treatment.

4 Q. And what treatment did Ms. Shovelski witness?

5 A. I mean, she witnessed me being treated

6 differently because of my race and also because of my

7 gender.

8 Q. Treated differently by whom?

9 A. Bill Piatt.

10 Q. That Ms. Shovelski witnessed?

11 A. Yes.

12 Q. Anyone else?

13 A. That's all I can recall right now.

14 Q. And what did Ms. Shovelski witness with respect

15 to the different treatment that you experienced from

16 Mr. Piatt?

17 A. That it was different. She's made comments

18 about how he treats women. How he treats women, you

19 know, she's made those comments.

20 Q. What comments did Ms. Shovelski make?

21 A. I don't recall. But there was a difference.

22 You can tell that he had -- there was not something

23 right in terms of how he was interacting with women.

24 Q. And when you say "interacting with women," was

25 that different treatment limited to you, or did it apply

Page 39

1 to other women in the facility?

2 A. Me and then also other women in the facility.

3 Q. Did Ms. Shovelski ever identify any specific

4 instances of different treatment, or was it just a

5 general vibe of different treatment?

6 A. Some of that information I believe is like I

7 provided those recordings. So that would be in there of

8 what comments she made. I can't verbatim repeat

9 everything that she said.

10 Q. But you have the recordings that you

11 provided --

12 A. Right.

13 Q. -- some of those were conversations you had

14 with Ms. Shovelski.

15 A. Right.

16 Q. And the nature of those were discussing

17 Mr. Piatt's treatment of women?

18 A. Yes.

19 Q. Did Ms. Shovelski know that you were recording

20 her?

21 A. No.

22 Q. Where did your recordings or conversations with

23 Ms. Shovelski occur?

24 A. At lunch, during lunch, off the Siemens

25 property, some were in conference rooms at Siemens.

Page 40

1 Q. And if I recall, you have produced close to

2 about 100 recordings. Is that correct?

3 A. It's a lot.

4 Q. Do you recall how many of those would have

5 involved Ms. Shovelski?

6 A. No.

7 Q. But it was multiple?

8 A. Yes.

9 Q. And on each occasion Ms. Shovelski did not know

10 you were recording her?

11 A. That's correct.

12 Q. And so with respect to the differences of

13 treatment by Mr. Piatt of women, the best way to -- or

14 best source for those instances would be the recordings?

15 A. Yes, because I don't want to misstate her.

16 Q. Other than her witnessing different treatment

17 by Bill Piatt of you and other women, what other

18 knowledge does Ms. Shovelski have regarding your claims

19 here today?

20 A. None that I'm aware of.

21 Q. Are you contending that Ms. Shovelski

22 discriminated against you because of your race or

23 gender?

24 A. No.

25 Q. Did you ever overhear Ms. Shovelski make any

10 (Pages 37 to 40)

HARRIET MARIE LANE - 11/20/2019

Page 41

1 comments regarding your race or gender?

2 A. No.

3 Q. Are you asserting any claims or seeking any

4 relief because of Ms. Shovelski's actions?

5 A. No.

6 Q. The next person you have listed -- and I guess

7 backing up real quick, is this the overall I guess

8 summary of Ms. Shovelski's knowledge related to your

9 claims?

10 A. In terms of what? What I just said right now?

11 Q. Yes.

12 A. Okay. Like I said, you have to refer to the

13 recordings.

14 Q. So other than her statements in the recordings,

15 is there any other relevant knowledge that Ms. Shovelski

16 may have about your claims here today?

17 A. That I'm aware of, I don't know what she might

18 know that I don't know. I don't know that.

19 Q. But you have no personal knowledge of any other

20 information Ms. Shovelski may have?

21 A. No.

22 Q. The next person you have, again, is Kathy

23 DeGeorge. Who is Kathy DeGeorge?

24 A. She's another peer, a female employee at

25 Siemens that I worked with at the time.

Page 42

1 Q. And going to the bottom, it says there is a

2 list of -- description that she has. In your own words,

3 what description or relevant knowledge do you believe

4 Ms. DeGeorge has about your claims here today?

5 A. Well, she told me things -- like I said, there

6 are several recordings, multiple recordings in regards

7 to her, too. But she did make comments that Bill was

8 out to get me, that he had a thing against minorities.

9 Q. And with respect to the comment that Bill is

10 out to get you, did she state that she believed that was

11 because of your race or your gender?

12 A. She did say he had issues with minorities

13 because it was myself and another minority.

14 Q. Who was that other minority?

15 A. I can't recall. I mean, I know the guy. It

16 was a guy. Juan.

17 Q. Juan is a male?

18 A. Uh-huh.

19 Q. Do you recall his race?

20 A. Hispanic.

21 Q. So with respect to issues or different

22 treatment that Mr. Piatt exhibited towards minorities,

23 that would be you and Juan?

24 A. No. I'm telling you what Kathy said.

25 Q. And so Kathy, when she identifies her

Page 43

1 description of different treatment by Mr. Piatt --

2 correct?

3 A. Yes.

4 Q. -- it's with respect to you and Juan?

5 A. Yes.

6 Q. And is that among the conversations in your

7 recordings?

8 A. Yes.

9 Q. Is the nature of Ms. DeGeorge's comment

10 concerning Mr. Piatt's different treatment, that's

11 reflected in that recording?

12 A. Yes.

13 Q. Did Ms. DeGeorge know at the time that you were

14 recording her?

15 A. No.

16 Q. Do you recall where this recording or

17 conversation took place?

18 A. Conference rooms at Siemens.

19 Q. With respect to -- other than her knowledge of

20 Mr. Piatt saying he's out to get you and he has issues

21 with minorities, is there any other knowledge that

22 Ms. DeGeorge may have regarding your claims here today?

23 A. I mean, she saw things that went -- things that

24 took place. She was working there at the organization.

25 Q. What specific examples or things did

Page 44

1 Ms. DeGeorge witness?

2 A. Like my work being taken away, being given to

3 other people, my responsibilities being taken away.

4 Q. Anything else?

5 A. There was the excessive monitoring. There was

6 also changes in the way the processes were carried out.

7 Q. Were there any other forms of discrimination

8 that Ms. DeGeorge witnessed?

9 A. That's all I can recall right now.

10 Q. And what was Ms. DeGeorge's race?

11 A. She was a white Caucasian lady.

12 Q. You answered my next question for me. That

13 would be a lady.

14 Now, first you said she witnessed your

15 work being taken away from you. When did this occur?

16 A. When I came back from FMLA.

17 Q. And when did you take FMLA leave?

18 A. February of 2017.

19 Q. And so when you returned in February 2017 --

20 A. No. That's when I took it, February. When I

21 returned --

22 Q. And when did you return?

23 A. May 2017.

24 Q. I appreciate the clarification.

25 And so Ms. DeGeorge witnessed in May 2017

11 (Pages 41 to 44)

HARRIET MARIE LANE - 11/20/2019

Page 45

1 your work and responsibilities being taken away?

2 A. Uh-huh. That goes for Melissa, too.

3 Q. Ms. Shovelski?

4 A. Yes.

5 Q. To your knowledge, was Ms. DeGeorge or

6 Ms. Shovelski involved in the decision to take your work

7 and responsibilities away?

8 A. Not that I'm aware, but they did -- some of my

9 duties and responsibilities were distributed to them.

10 Q. What was Ms. DeGeorge's position?

11 A. I don't know her job title. I want to say -- I

12 don't know her job title. We didn't -- when I came back

13 from maternity leave, she worked for someone totally

14 different. But she was located the same location there

15 in Houston.

16 Q. Do you recall what department she was in?

17 A. We were in the same department. I think at the

18 time we were under finance.

19 Q. So in May 2017 you were under finance?

20 A. I don't recall but we were in the same

21 department.

22 Q. And did Ms. DeGeorge or Ms. Shovelski ever

23 share with you their belief that your duties were taken

24 away because of your gender or your race?

25 A. That's what I was saying. Kathy was

Page 46

1 insinuating that Bill was out to get me, wanted to get

2 rid of me.

3 Q. And you understand that comment to be in

4 reference to taking away your duties and

5 responsibilities?

6 A. Right.

7 Q. And so the conversations or recordings that you

8 had with Ms. DeGeorge took place when you returned from

9 your leave in May 2017?

10 A. Yes. After.

11 Q. Sometime after May 2017.

12 And is it your contention that it was Bill

13 Piatt who made the decision to take your work and

14 responsibilities away?

15 A. Along with Bill, I believe he had some

16 involvement in it because initially -- yes.

17 Q. Is it your contention that anybody else was

18 involved in that decision?

19 A. Yes.

20 Q. Who?

21 A. HR.

22 Q. Who in HR?

23 A. Linda Hubbard.

24 Q. Anybody else?

25 A. The president there at the time, his name was

Page 47

1 Mark Shipley.

2 Q. Anybody else?

3 A. Not that I recall.

4 Q. And on what do you base your contention that

5 these three were involved in the decision to take away

6 your work?

7 A. Well, I believe that it was Bill that was the

8 ringleader.

9 Q. And on what do you base that belief?

10 A. Because he was discriminating against me

11 because I'm an African-American female.

12 Q. And backing up, on what do you base the belief

13 he was the one that made the decision to take away your

14 duties?

15 A. Well, there was another lady that told me when

16 I came back from maternity leave that he asked

17 to -- there were conversations. I mean, I really don't

18 understand your question. Can you rephrase it?

19 Q. Well, you are saying you believe it was

20 Mr. Piatt who took your duties away. I'm just asking,

21 how did you form that conclusion? What evidence do you

22 have that it was Mr. Piatt that made that decision?

23 A. Because originally -- I believe it's in the

24 claim there -- that when my supervisor, the

25 African-American Ayana Browne left, when she left, he

Page 48

1 came to me and said that I'm going to -- I'm going to

2 report to him.

3 And so -- and then also, too, the

4 receptionist also informed me that when I was on

5 maternity leave, he asked her to deactivate my badge

6 because I wasn't going to be coming back. And then my

7 responsibilities were also distributed to her.

8 Q. And so backing up first with regards to when

9 your supervisor Ayana Browne left, when did that occur?

10 A. That was in 2016. I don't recall the month.

11 Q. And when she left in 2016, did you end up

12 reporting directly to Mr. Piatt?

13 A. No.

14 Q. And next with respect to -- you mentioned your

15 leave from February to May 2017, and that's maternity

16 leave?

17 A. FMLA.

18 Q. You have been referring it to as maternity

19 leave.

20 A. No.

21 Q. Was it related to a childbirth?

22 A. No.

23 MR. BAIL: I just thought I missed

24 something.

25 MS. GRANT: I thought the same thing.

12 (Pages 45 to 48)

HARRIET MARIE LANE - 11/20/2019

Page 49

1 A. FMLA, the medical leave.  
 2 Q. (BY MS. GRANT) It was not maternity leave or  
 3 related to childbirth?  
 4 A. No.  
 5 Q. And so the other reason why you believe it was  
 6 Mr. Piatt that made the decision in addition to this  
 7 comment in 2016 was his statement about deactivating  
 8 your badge?  
 9 A. Right.  
 10 Q. Any other evidence that you believe that it was  
 11 Mr. Piatt who made the decision to take away your  
 12 duties?  
 13 A. He's always been over the audit program prior  
 14 to me taking it over.  
 15 Q. When did you take over the audit program?  
 16 A. When I came on board with Siemens back in,  
 17 what, 2015, 2014.  
 18 Q. And what duties did you have that were removed  
 19 from you?  
 20 A. So I was responsible for the document  
 21 management system. That was taken away from me. All  
 22 kinds of stuff. So the only thing they had me doing  
 23 when I came back was internal auditing.  
 24 So if you look at that job description,  
 25 senior business process specialist, I wasn't doing that.

Page 51

1 Q. Is this Ms. Shovelski?  
 2 A. Yes.  
 3 Q. Any others?  
 4 A. No.  
 5 Q. And again, these were taken away from you and  
 6 given to Ms. Shovelski or you learned of these duties  
 7 being taken away when you returned from FMLA leave in  
 8 May 2017?  
 9 A. Yes.  
 10 Q. You said Kimberly Long?  
 11 A. Right.  
 12 Q. I assume this is a female.  
 13 A. Yes.  
 14 Q. What is Ms. Long's race?  
 15 A. She's a Caucasian lady.  
 16 Q. And what duties did she receive of yours?  
 17 A. The auditing and the KPI reporting.  
 18 Q. Any others?  
 19 A. Uh-uh. No.  
 20 Q. And again, you learned of her assuming these  
 21 responsibilities when you returned from FMLA leave in  
 22 May 2017?  
 23 A. Yes.  
 24 Q. You also said Irene. I assume Irene is a  
 25 female.

Page 50

1 I was -- the only thing I was responsible for was  
 2 internal auditing.  
 3 Q. And everything else on the job description for  
 4 the senior business process specialist got taken away  
 5 from you?  
 6 A. Right. Distributed to several other people.  
 7 Q. Do you recall who this was distributed amongst?  
 8 A. Kathy DeGeorge, Melissa, Kimberly Long, Irene,  
 9 you know, the receptionist, other employees. Those are  
 10 just a few of the names.  
 11 Q. With respect to Kathy DeGeorge, do you recall  
 12 what duties were distributed to her?  
 13 A. The internal auditing.  
 14 Q. Any others?  
 15 A. I was also responsible for doing reports for  
 16 customer satisfaction. That was given to her, like  
 17 KPI's performance and metrics.  
 18 Q. Any other duties distributed to Ms. DeGeorge?  
 19 A. Not that I can recall.  
 20 Q. And these were distributed to her when you  
 21 returned from FMLA leave in May?  
 22 A. That's when I found out, yes.  
 23 Q. The next one is Melissa. Who's Melissa that  
 24 your duties were distributed to?  
 25 A. Melissa, so the auditing part of that.

Page 52

1 A. Yes.  
 2 Q. And what is Irene's race?  
 3 A. Irene is Venezuelan.  
 4 Q. And what duties were given to Irene?  
 5 A. Okay. And so I've got to get my memory right  
 6 here. Irene is the receptionist. Just put  
 7 receptionist. Right now I can't think of her name. So  
 8 she took on the management system.  
 9 Q. So when you referred to Irene and receptionist,  
 10 you have got the same person in your mind?  
 11 A. Right.  
 12 Q. And again, you learned that she was given these  
 13 duties when you returned in May 2017?  
 14 A. Yes.  
 15 Q. And it's your contention that Mr. Piatt was the  
 16 one who transferred these duties and responsibilities to  
 17 her?  
 18 A. Yes.  
 19 Q. And you contend you lost these duties because  
 20 of your gender?  
 21 A. Right, and retaliation because of the  
 22 discrimination that I had filed.  
 23 Q. What evidence do you have that Mr. Piatt  
 24 transferred these duties to Melissa, Kathy, Kimberly and  
 25 the receptionist because of your gender?

13 (Pages 49 to 52)



HARRIET MARIE LANE - 11/20/2019

Page 53

1 A. Evidence? I mean, he didn't tell me that or  
 2 anything like that.  
 3 Q. Other than your personal belief Mr. Piatt  
 4 transferred these duties because of your gender, do you  
 5 have any other evidence?  
 6 A. No.  
 7 Q. And you said that these duties were transferred  
 8 to Kathy, Melissa, Kimberly and the receptionist in  
 9 retaliation?  
 10 A. Yes, I think so. I think he was trying to get  
 11 rid of -- yes.  
 12 Q. In retaliation for what?  
 13 A. For me complaining about the behavior, the way  
 14 I was treated at Siemens and filing a complaint.  
 15 Q. And who did you complain to?  
 16 A. That was internally. That was to Linda  
 17 Hubbard, the HR lady, initially.  
 18 Q. And what other complaints do you believe the  
 19 duties were taken from you in retaliation for?  
 20 A. What do you mean?  
 21 Q. You said you believe these duties got  
 22 transferred to these four in retaliation for complaints.  
 23 So you said you complained internally to Linda Hubbard.  
 24 What other complaints do you believe?  
 25 A. And also to Patti. She was the lady who came

Page 54

1 in and did the investigation.  
 2 Q. So you contend that you lost these duties in  
 3 retaliation for your internal complaints to Linda and to  
 4 Patti Davis?  
 5 A. Yes.  
 6 Q. Anything else?  
 7 A. No.  
 8 Q. And what evidence do you have that Mr. Piatt  
 9 removed these duties in retaliation for your complaints?  
 10 A. Well, I don't have evidence as far as the  
 11 reason he did it.  
 12 Q. But you have a personal belief that he did it  
 13 in retaliation?  
 14 A. Yes.  
 15 Q. Next with regards to -- strike that. Back up a  
 16 little bit.  
 17 When you returned in May 2017, did you  
 18 experience a decrease in pay?  
 19 A. No, just the responsibilities that were  
 20 involved.  
 21 Q. Did you experience any sort of decrease in your  
 22 leave of seniority?  
 23 A. My job title stayed the same, senior business  
 24 process specialist.  
 25 Q. So other than losing part of your

Page 55

1 responsibilities, these changes didn't affect any other  
 2 terms and conditions of your employment?  
 3 A. No.  
 4 Q. Did it affect your hours?  
 5 A. No.  
 6 Q. And all of these four individuals held a  
 7 different position than you, correct?  
 8 A. Right.  
 9 Q. So they assumed part of your responsibilities  
 10 on top of the responsibilities they are already  
 11 performing?  
 12 A. Yes.  
 13 Q. Going back when we were discussing -- we got  
 14 down this road with Kathy DeGeorge, and I asked you what  
 15 discrimination she witnessed. The next one you listed  
 16 was the excessive monitoring, correct?  
 17 A. Uh-huh.  
 18 Q. Excessive monitoring by whom?  
 19 A. That would be Bill. He's the one that was  
 20 wanting me to do surveys for every time an internal  
 21 audit was performed. He wanted to do a customer  
 22 satisfaction survey.  
 23 Q. And so when you say Bill, you're referring to  
 24 Mr. Piatt?  
 25 A. Right.

Page 56

1 Q. And did Ms. DeGeorge ever make any comments she  
 2 believed this new duty of customer satisfaction surveys  
 3 was in discrimination? Was discriminatory?  
 4 A. She didn't say "discriminatory" but she knew I  
 5 was being treated different than any of the other  
 6 auditors. That was something new again when I came back  
 7 from maternity leave.  
 8 Q. And so the excessive monitoring began in May  
 9 2017?  
 10 A. Yes.  
 11 Q. And with respect to Ms. DeGeorge's witnessing  
 12 or beliefs regarding this, is that reflected in the  
 13 recordings?  
 14 A. Yes. He was trying to gain evidence or trying  
 15 to get someone to say something bad about me, yes.  
 16 Q. And so when you say excessive monitoring and  
 17 you refer to the customer satisfaction surveys, what you  
 18 are saying is these new surveys that he implemented, he  
 19 was hoping that someone would criticize your work  
 20 performance?  
 21 A. Yes. But he also did. So that's when I came  
 22 back in May. But then after my supervisor left in 2016,  
 23 he was also doing some excessive monitoring, sending me  
 24 emails and, you know, things of that nature as well.  
 25 Q. And did Ms. DeGeorge --

14 (Pages 53 to 56)

HARRIET MARIE LANE - 11/20/2019

Page 57

1 A. I did not report to him at the time.  
 2 Q. Did Ms. DeGeorge witness those?  
 3 A. Which ones?  
 4 Q. The emails.  
 5 A. No.  
 6 Q. Was she aware of this 2016 excessive  
 7 monitoring?  
 8 A. No. She did not but Kimberly did, Kimberly  
 9 Long. Oh, Kathy DeGeorge was aware of the customer  
 10 satisfaction surveys, yes.  
 11 Q. But not the 2016 excessive monitoring?  
 12 A. No. That was Linda Hubbard and that was also  
 13 Kimberly Long.  
 14 Q. You had referenced other auditors.  
 15 A. Uh-huh.  
 16 Q. Who are these other auditors?  
 17 A. So those are the ones that we were talking  
 18 about, Melissa, Kathy.  
 19 Q. Kimberly?  
 20 A. Uh-huh.  
 21 Q. What about the receptionist?  
 22 A. No. She was never an auditor.  
 23 Q. But these -- Kathy, Melissa and Kimberly  
 24 performed auditing duties on top of their other duties  
 25 and responsibilities?

Page 58

1 A. Yes.  
 2 Q. They were not solely auditors?  
 3 A. No.  
 4 Q. And when you returned, your only responsibility  
 5 was internal auditing?  
 6 A. Right.  
 7 Q. Did Kathy, Melissa and Kimberly when you  
 8 returned in May 2017 report to the same supervisor as  
 9 you?  
 10 A. No.  
 11 Q. And with these customer satisfaction surveys,  
 12 you said that it was Mr. Piatt that implemented that?  
 13 A. Right.  
 14 Q. And it's your contention he did that in order  
 15 to discriminate against you because of your gender?  
 16 A. Yes, and retaliation.  
 17 Q. Did he -- is it your contention he did that to  
 18 discriminate against you because of your race?  
 19 A. Yes.  
 20 Q. First with respect to discrimination, what  
 21 evidence do you have that he implemented this customer  
 22 survey report because of your race or gender?  
 23 A. Well, I just know that he didn't do it to any  
 24 other people that were -- you know, there were -- I know  
 25 he didn't -- that wasn't done to anyone other than --

Page 59

1 you know, I'm a black woman. So I don't know that he  
 2 did that to any of the -- Kathy, Melissa or Kimberly and  
 3 they're Caucasians.  
 4 Q. So with respect to the customer  
 5 service -- customer survey report, correct?  
 6 A. Uh-huh.  
 7 Q. What was that? Can you explain to me what that  
 8 is?  
 9 A. It was KPIs, just getting feedback on any  
 10 audits that I performed.  
 11 Q. And so when you performed an audit, then the  
 12 subjects of the audit afterwards had to complete that  
 13 report?  
 14 A. Right.  
 15 Q. And so it's your contention that if an audit  
 16 was done by anybody else, Mr. Piatt didn't have that  
 17 report be filled out?  
 18 A. Right.  
 19 Q. And do you know for certain that no one  
 20 else --  
 21 A. No, I don't know that.  
 22 Q. And this customer service report was  
 23 implemented in May 2017 when you returned?  
 24 A. When I came back, around that time frame. And  
 25 I had been with the company at that time, what, three

Page 60

1 years. So I started in 2014, came back in 2017. So...  
 2 Q. With respect to the customer service reports,  
 3 did you ever experience any disciplinary action as a  
 4 result of any responses to those?  
 5 A. No.  
 6 Q. Did those have any effect on your pay?  
 7 A. No.  
 8 Q. Did those have any effect on any terms and  
 9 conditions of your employment?  
 10 A. No.  
 11 Q. But he still had other people fill these out  
 12 and comment on how you did your job?  
 13 A. Right.  
 14 Q. And you said this was done in retaliation. Was  
 15 it retaliation for, as we discussed before, your  
 16 internal complaints to Linda and Patti Davis?  
 17 A. Yes.  
 18 Q. Anything else?  
 19 A. No.  
 20 Q. The other one you stated, the other acts of  
 21 discrimination that Kathy DeGeorge witnessed was certain  
 22 changes in processes; is that correct?  
 23 A. Right.  
 24 Q. And what changes in processes are you  
 25 referring?

15 (Pages 57 to 60)

HARRIET MARIE LANE - 11/20/2019

Page 61	Page 63
<p>1 A. Okay. So we're talking about the internal</p> <p>2 auditing. So prior to me filing those complaints, there</p> <p>3 was never a requirement for a customer satisfaction</p> <p>4 survey to be completed.</p> <p>5 Q. And so it goes back to what we just discussed?</p> <p>6 A. Right.</p> <p>7 Q. Any other changes in processes that you contend</p> <p>8 Ms. DeGeorge saw that were discriminatory?</p> <p>9 A. None that I recall.</p> <p>10 Q. Were there any other acts of discrimination</p> <p>11 that Ms. DeGeorge witnessed that formed the basis of</p> <p>12 your complaints?</p> <p>13 A. That she told me about, no, not that I can</p> <p>14 recall.</p> <p>15 Q. Were there any other acts of retaliation that</p> <p>16 Ms. DeGeorge witnessed that form the basis of your</p> <p>17 complaint?</p> <p>18 A. Not that I recall.</p> <p>19 Q. Are you contending or asserting any claims here</p> <p>20 on any actions that Ms. DeGeorge took towards you?</p> <p>21 A. No.</p> <p>22 Q. Did you ever hear Ms. DeGeorge making any</p> <p>23 comments about your race or your gender?</p> <p>24 A. No.</p> <p>25 Q. Is there any other knowledge you think</p>	<p>1 I said. So they said they let me go because of the -- I</p> <p>2 mean, they had their reasons, but she had a lot of</p> <p>3 evidence?</p> <p>4 Q. So she has knowledge regarding your</p> <p>5 termination?</p> <p>6 A. Yes. She has knowledge about the termination,</p> <p>7 yes. When you say "knowledge about the termination,"</p> <p>8 you're talking about that I'm no longer at Siemens?</p> <p>9 Q. Correct.</p> <p>10 A. She knows that I'm no longer there, yes.</p> <p>11 Q. Does she have any knowledge regarding reasons</p> <p>12 or the basis for your termination?</p> <p>13 A. I don't know about that. But she does have</p> <p>14 knowledge about the claims that I did not tell her. So</p> <p>15 she has knowledge about the claims, and that's on the</p> <p>16 recording.</p> <p>17 Q. Did you inform Ms. Long that you were recording</p> <p>18 your conversation?</p> <p>19 A. No.</p> <p>20 Q. And would you say that the best description of</p> <p>21 Ms. Long's knowledge is in those recordings?</p> <p>22 A. Right. So she did tell me that Linda Hubbard</p> <p>23 told her about it, about the complaints that I filed</p> <p>24 that were personal and private.</p> <p>25 Q. And is that on the recording?</p>
Page 62	Page 64
<p>1 Ms. DeGeorge might have here related to your complaints?</p> <p>2 A. Not that I'm aware of.</p> <p>3 Q. The next person you have listed is Kimberly</p> <p>4 Long. Who is Ms. Long?</p> <p>5 A. She's another female employee at Siemens.</p> <p>6 She's Caucasian.</p> <p>7 Q. And what was Ms. Long's position?</p> <p>8 A. She was responsible for EHS, environmental</p> <p>9 health and safety.</p> <p>10 Q. Was this a different position than you?</p> <p>11 A. Yes.</p> <p>12 Q. And you contended earlier that she's one of the</p> <p>13 ones that took your duties when you returned in May?</p> <p>14 A. Yes. She did some internal auditing.</p> <p>15 Q. And what knowledge do you believe Ms. Long has</p> <p>16 regarding your claims?</p> <p>17 A. Oh, she had a lot of knowledge. I mean, we sat</p> <p>18 side by side in cubicles. People would come to her and</p> <p>19 make comments about me to her. She's even made</p> <p>20 statements that Bill is discriminatory towards women.</p> <p>21 You know, all that's on the recording. She also</p> <p>22 witnessed the differential treatment. Yeah, so she has</p> <p>23 a lot of evidence. She witnessed the excessive</p> <p>24 monitoring. She witnessed all of that.</p> <p>25 And then she also, you know -- yeah, like</p>	<p>1 A. That Linda Hubbard told her about them, yes,</p> <p>2 about me filing the complaint, yes.</p> <p>3 Q. To your knowledge, is Ms. Long still employed</p> <p>4 at Siemens?</p> <p>5 A. I'm not sure.</p> <p>6 Q. When was the last time you spoke with Ms. Long?</p> <p>7 A. During the time when I worked with Siemens.</p> <p>8 Q. You have not spoken to her since you were laid</p> <p>9 off?</p> <p>10 A. No, ma'am.</p> <p>11 Q. Who was Ms. Long's supervisor?</p> <p>12 A. I can't remember.</p> <p>13 Q. Was it a different supervisor than yours?</p> <p>14 A. Yes.</p> <p>15 Q. Was Ms. Long one of your peers?</p> <p>16 A. Yes.</p> <p>17 Q. Are you contending that Ms. Long ever took any</p> <p>18 actions to discriminate against you because of your</p> <p>19 gender or race?</p> <p>20 A. No.</p> <p>21 Q. Do you contend that Ms. Long took any actions</p> <p>22 to retaliate against you because of any action?</p> <p>23 A. No.</p> <p>24 Q. Did you ever overhear Ms. Long make any</p> <p>25 comments about your race or your gender?</p>

16 (Pages 61 to 64)

HARRIET MARIE LANE - 11/20/2019

Page 65	Page 67
<p>1 A. No.</p> <p>2 Q. Is any action by Ms. Long forming the basis of</p> <p>3 your lawsuit here today?</p> <p>4 A. What do you mean?</p> <p>5 Q. Meaning did Ms. Long do something that you are</p> <p>6 now contending -- are you suing for the actions that</p> <p>7 Ms. Long did?</p> <p>8 A. No.</p> <p>9 Q. Now, I want to go back to the list of knowledge</p> <p>10 and topics that you say Ms. Long knows about. The first</p> <p>11 one you listed was comments made by people to her about</p> <p>12 you.</p> <p>13 A. Uh-huh.</p> <p>14 Q. Who made these statements to Ms. Long?</p> <p>15 A. Okay. So she did tell me that when I came back</p> <p>16 from -- who? I know Melissa King was one of the ladies</p> <p>17 who made comments to her. Management, as far as who</p> <p>18 those individuals were in terms of me coming back and</p> <p>19 who I was going to report to, I'm not sure who that was,</p> <p>20 who those conversations were with.</p> <p>21 Q. But she overheard or was involved in</p> <p>22 communications with management --</p> <p>23 A. Right.</p> <p>24 Q. -- just that general term while you were out on</p> <p>25 leave --</p>	<p>1 A. Right.</p> <p>2 Q. And what did Ms. Hubbard tell Ms. Long with</p> <p>3 respect to why you were on leave?</p> <p>4 A. I would only be guessing, but she told her that</p> <p>5 I was -- I would only be guessing. Like I said, that's</p> <p>6 in that recording.</p> <p>7 Q. The recording is of Ms. Long telling you what</p> <p>8 Ms. Hubbard told her?</p> <p>9 A. Yes.</p> <p>10 Q. As to why you were on leave?</p> <p>11 A. Yes.</p> <p>12 Q. Do you recall whether or not that information</p> <p>13 that Ms. Hubbard told Ms. Long was true or false?</p> <p>14 A. I believe it was false, yes.</p> <p>15 Q. And why were you on FMLA leave from February</p> <p>16 2017 to May 2017?</p> <p>17 A. So that was related to mental health issues.</p> <p>18 So that's in the report there from the doctor. Mental</p> <p>19 health, you know, the stress and everything caused by</p> <p>20 the job.</p> <p>21 Q. And is this what Ms. Hubbard told Ms. Long</p> <p>22 regarding why you were out on leave?</p> <p>23 A. Like I said -- no. Hers was saying I filed a</p> <p>24 lawsuit -- or that I filed -- it wasn't a lawsuit at the</p> <p>25 time. It was the discrimination that I had filed with</p>
Page 66	Page 68
<p>1 A. Right.</p> <p>2 Q. -- regarding once you came back who you would</p> <p>3 report to?</p> <p>4 A. Yes.</p> <p>5 Q. Any other comments that she overheard or</p> <p>6 conversations she had with others about you?</p> <p>7 A. That I'm aware of, no.</p> <p>8 Q. You said she had conversations with Melissa</p> <p>9 King. What was the basis, to your knowledge, of those</p> <p>10 communications with Ms. King?</p> <p>11 A. She was asked about my hours. You know, if I'm</p> <p>12 not at my cubicle where I'm located at, where did I go,</p> <p>13 things of that nature.</p> <p>14 Q. Any other comments that you say to your</p> <p>15 knowledge Ms. Long overheard or participated in about</p> <p>16 you?</p> <p>17 A. In the ones with Linda in regards to the reason</p> <p>18 why I was on FMLA and that, like I told you, she was</p> <p>19 told by Linda I had filed the complaint.</p> <p>20 Q. And so with respect to the conversations with</p> <p>21 Linda, the first conversation that Ms. Long supposedly</p> <p>22 had was, first, why you were on FMLA leave?</p> <p>23 A. Right.</p> <p>24 Q. And this was the February 2017 to May 2017</p> <p>25 leave?</p>	<p>1 Patti. And she was saying that -- that's why I said</p> <p>2 you've got to listen to the recording, you know, to get</p> <p>3 all the evidence.</p> <p>4 Q. And so she informed -- strike that.</p> <p>5 The nature of Ms. Hubbard's conversation</p> <p>6 with Ms. Long was that you were out on FMLA leave, and</p> <p>7 she tied it to a complaint that you had filed?</p> <p>8 A. Right.</p> <p>9 Q. And the best nature as far as Ms. Hubbard's</p> <p>10 conversation with Ms. Long would be that recording?</p> <p>11 A. Right.</p> <p>12 Q. But you didn't overhear this conversation?</p> <p>13 A. No.</p> <p>14 Q. To your knowledge, did Ms. Long ever overhear</p> <p>15 any conversations or comments made about your race or</p> <p>16 gender?</p> <p>17 A. Not that I'm aware of, no.</p> <p>18 Q. And then the next subject as far as knowledge</p> <p>19 or categories of knowledge was Bill Piatt's</p> <p>20 discriminatory treatment or different treatment toward</p> <p>21 women?</p> <p>22 A. Yes.</p> <p>23 Q. And was that with respect to you specifically</p> <p>24 or women in the workplace in general?</p> <p>25 A. Women in the workplace.</p>

17 (Pages 65 to 68)

HARRIET MARIE LANE - 11/20/2019

Page 69

1 Q. Did Ms. Long ever communicate to you that she  
2 felt Mr. Piatt was discriminatory to her?  
3 A. Yes.  
4 Q. In what way did she feel he discriminated  
5 against her?  
6 A. Just the way that he would treat her in  
7 comparison to men.  
8 Q. And so with respect to Mr. Piatt's  
9 discriminatory treatment, would you say he treated all  
10 women differently?  
11 A. I don't know about that. All I know is what he  
12 did towards me and what she said. And there is a  
13 recording from Melissa about how she feels he is.  
14 Q. The next one you said is just your overall  
15 differential treatment. What differential treatment was  
16 Ms. Long aware of?  
17 A. Me having -- when I came back from medical  
18 leave, me having to badge in -- you know, my recordings  
19 of what time I came into the office, you know, the badge  
20 reports. So yes, she was aware of that. I  
21 guess -- yes. And so -- and then the surveys.  
22 Q. The customer satisfaction surveys we discussed  
23 before?  
24 A. Uh-huh.  
25 Q. Any other differential treatment that Ms. Long

Page 71

1 A. No.  
2 Q. Do you recall who made the decision to make you  
3 send these emails?  
4 A. In the meeting that consisted of -- I don't  
5 know who made the decision, no.  
6 Q. Is it your contention that you were required to  
7 send these emails notifying Ms. Wilson of when you were  
8 leaving because of your gender or race?  
9 A. I believe it has something to do with the  
10 retaliation. I believe a lot of this has to do with the  
11 retaliation, filing the complaint, yes.  
12 Q. And with respect to in retaliation, was it for  
13 your internal complaints to Ms. Hubbard and Ms. Davis?  
14 A. Yes.  
15 Q. Anything else?  
16 A. No.  
17 Q. Having to badge in or badge out -- or it's more  
18 just sending the emails of notifying when you were  
19 leaving, did that have any effect on your pay?  
20 A. No.  
21 Q. Did it have any effect on any of your other  
22 benefits that you received?  
23 A. No.  
24 Q. Did it result in any disciplinary action? Say  
25 did you get any disciplinary action based upon when you

Page 70

1 has witnessed or was aware of?  
2 A. Not that I recall.  
3 Q. Turning to the badge in, badge out, what did  
4 that consist of?  
5 A. Okay. So at Siemens you use your employee  
6 badge to access the facility. But then you can't use  
7 that badge -- you don't need the badge to let you out of  
8 the building.  
9 Q. It just lets you in?  
10 A. Right. And so when I came back from FMLA, I  
11 was told to badge in and then also send an email to my  
12 supervisor what time I was leaving, what time I was  
13 going to lunch, things of that nature as a salaried  
14 employee.  
15 Q. And are you aware of any other employees who  
16 were required to send these emails about when you were  
17 leaving?  
18 A. No. That was just me.  
19 Q. And you said to your supervisor. Who was your  
20 supervisor at this time?  
21 A. Her name was Donna. And she became my new  
22 supervisor when I came on board after returning from  
23 FMLA.  
24 Q. And prior to May 2017, you didn't have to send  
25 these emails?

Page 72

1 reported you were leaving?  
2 A. No.  
3 Q. Was it a quick email, Hey, I'm leaving for  
4 lunch; Hey, I'm leaving for the day?  
5 A. I would send an email, yes.  
6 Q. So typically it was about two emails a day?  
7 A. Right. I think I even sent emails, too, when I  
8 was going to the restroom and things like that, too.  
9 Q. So whenever you left your desk, you were  
10 required to report?  
11 A. Well, they wanted me to report, so I tried to  
12 give them as much information as they needed.  
13 Q. But they didn't specifically say, When you go  
14 to the restroom, you need to let me know?  
15 A. No.  
16 Q. But you did send those because you were trying  
17 to comply with this requirement to let them know when  
18 you were leaving?  
19 A. Uh-huh.  
20 Q. Any other differential treatment that Ms. Long  
21 was aware of other than the customer survey reports and  
22 the badge in and badge outs?  
23 A. Uh-huh. Not that I'm aware of.  
24 Q. Next you said she also was aware of excessive  
25 monitoring. We have discussed two bits of excessive

18 (Pages 69 to 72)

HARRIET MARIE LANE - 11/20/2019

Page 73

1 monitoring, the first one being in 2016 with emails from  
 2 Mr. Piatt.  
 3 Ms. Long, was she aware of that?  
 4 A. Yes. And then, like I said, we were cube  
 5 mates. So they would ask her questions.  
 6 Q. About your whereabouts?  
 7 A. Yes.  
 8 Q. Who asked these questions?  
 9 A. Bill. I think he was the main person. And  
 10 Melissa, I previously stated, King.  
 11 Q. And this was before your leave?  
 12 A. Yes.  
 13 Q. Was she aware of the excessive monitoring that  
 14 you said occurred when you returned back from leave, the  
 15 customer survey reports?  
 16 A. I believe she was, yeah. She gets those badge  
 17 reports.  
 18 Q. Did Ms. Long ever indicate to you that she  
 19 believed this excessive monitoring was discriminatory?  
 20 A. As far as -- I have to look -- listen to the  
 21 recordings. She didn't say that, I think they are doing  
 22 this because they are discriminating against you. I  
 23 don't think she said those words.  
 24 Q. Did she ever indicate that she believed the  
 25 excessive monitoring was done in order to retaliate

Page 75

1 it is various categories of information that you have to  
 2 give. And one of those categories of information is the  
 3 same question, individuals with relevant knowledge. So  
 4 I want to go through some of the people that Siemens  
 5 identified and go through the same exercise that we just  
 6 went through.  
 7 A. Okay.  
 8 Q. So let's turn to -- it starts at page 7.  
 9 A. Okay.  
 10 Q. And so starting on page 7 is the list of  
 11 individuals that Siemens claims have knowledge. The  
 12 first person is you, Harriet Lane, and we're here to  
 13 find out what knowledge you have.  
 14 A. Yes.  
 15 Q. The second person listed is Patti Davis. Do  
 16 you know who Patti Davis is?  
 17 A. Yes.  
 18 Q. Who is Ms. Davis?  
 19 A. She works for Siemens, human resources.  
 20 Q. And what is Ms. Davis's race?  
 21 A. African-American.  
 22 Q. And I assume she's a female.  
 23 A. Yes.  
 24 Q. Can we agree if I incorrectly identify or use  
 25 the wrong pronouns, you will let me know?

Page 74

1 against you?  
 2 A. No.  
 3 Q. Is there any other knowledge that Ms. Long  
 4 would have regarding your complaints here other than  
 5 what we've discussed?  
 6 A. No.  
 7 Q. And Ms. Long was one of the individuals that  
 8 took some of your duties, correct?  
 9 A. Yes.  
 10 Q. And she performed these internal auditing  
 11 duties on top of her separate duties in EHS?  
 12 A. Right.  
 13 (Exhibit 5 was marked.)  
 14 Q. (BY MS. GRANT) I'm handing you what I'm  
 15 marking as Exhibit 5.  
 16 A. Okay.  
 17 Q. So as I previously stated, we had sent you  
 18 interrogatories, and the first one was asking about  
 19 individuals with relevant knowledge. One of the  
 20 requirements that courts have, and actually,  
 21 specifically our judge, is that the parties are to  
 22 exchange information at the beginning of the lawsuit  
 23 called initial disclosures.  
 24 A. Okay.  
 25 Q. Exhibit 5 is Siemens' initial disclosures where

Page 76

1 A. Yes.  
 2 Q. So if I say "she," I don't then have to ask you  
 3 if she's a female?  
 4 A. Yes.  
 5 Q. We'll skip that question. It's a weird one but  
 6 you never know.  
 7 And when was the last time you spoke with  
 8 Ms. Davis?  
 9 A. That was back in February, I believe, in 2017.  
 10 Q. And I believe you referenced she's one of the  
 11 individuals that you had filed complaints with.  
 12 A. Yes.  
 13 Q. And you did this in her role as human  
 14 resources?  
 15 A. Yes.  
 16 Q. And Ms. Davis was not your supervisor?  
 17 A. No.  
 18 Q. Or your peer?  
 19 A. No.  
 20 Q. And we have -- she works in Orlando, Florida;  
 21 is that correct?  
 22 A. Okay.  
 23 Q. Did she work in the same facility as you?  
 24 A. No.  
 25 Q. And you said you complained to her. Did you

19 (Pages 73 to 76)



HARRIET MARIE LANE - 11/20/2019

Page 77

1 complain to her directly or how did the complaint come  
2 to Ms. Davis?  
3 A. She did the investigation, so she interviewed  
4 me.  
5 Q. So she did an investigation into a complaint  
6 you filed?  
7 A. Yes.  
8 Q. How did you file this complaint?  
9 A. Through the Safecall.  
10 Q. A hotline?  
11 A. Yes.  
12 Q. Is this a hotline provided by Siemens?  
13 A. Yes.  
14 Q. And what's the purpose of this hotline?  
15 A. You can file any type of complaints you would  
16 have related to the complaint that I filed.  
17 Q. And so Siemens had a mechanism by which you can  
18 call in and raise complaints?  
19 A. Yes.  
20 Q. Did you make this complaint anonymously?  
21 A. No. I stated my name.  
22 Q. Did you have the option to state it  
23 anonymously?  
24 A. I can't remember.  
25 Q. Do you recall when you made this complaint?

Page 79

1 treated with Bill, and also it doesn't mention anything  
2 here about Mr. Shipley. So yes.  
3 Q. And with respect to Exhibit 6, it says here the  
4 time and date was 6 p.m. on February -- Friday,  
5 January 27, 2017.  
6 Is that accurate?  
7 A. I can't remember the time. Like I said  
8 earlier, it was January 2017.  
9 Q. And it says here, nature of allegation, unfair  
10 treatment; that is correct?  
11 A. Yes.  
12 Q. And with respect to it says "Person(s)  
13 involved," it lists Melissa King. And you contend that  
14 in addition to Ms. King, you also complained about Bill  
15 Piatt and Mark Shipley?  
16 A. Yes.  
17 Q. Is it Mark or Mike?  
18 A. Mark. Management as a whole. I kept saying  
19 "management."  
20 Q. And after you made this phone call, Ms. Davis  
21 was then assigned to investigate your complaint; is that  
22 correct?  
23 A. Yes.  
24 Q. Was there anything -- when you called the  
25 hotline, did you specifically state you believed you

Page 78

1 A. I want to say January of 2017.  
2 Q. And then once you made this complaint,  
3 Ms. Davis was the investigator assigned to investigate  
4 the subject of this complaint?  
5 A. Yes.  
6 (Exhibit 6 was marked.)  
7 Q. (BY MS. GRANT) I'm handing you what's been  
8 marked as Exhibit 6. Exhibit 6 is a call report that  
9 purports to summarize the nature of your call to the  
10 call line.  
11 Have you seen Exhibit 6 before?  
12 A. Yes.  
13 Q. Does Exhibit 6 accurately describe or reflect  
14 your complaint that you made to the Safecall report?  
15 MR. BAIL: Take some time to look it over,  
16 please.  
17 MS. GRANT: Yes.  
18 A. Okay.  
19 Q. (BY MS. GRANT) Turn back to Exhibit 6. Does  
20 Exhibit 6 accurately reflect the contents of your  
21 complaint that you made?  
22 A. Right, but they don't have everything in here.  
23 Q. So what do you recall is missing from this  
24 report?  
25 A. Like the complaints in regards to how I was

Page 80

1 were discriminated against because of your race or  
2 gender?  
3 A. I can't remember that. I know that came later,  
4 yes.  
5 Q. But in the initial call, that did not come up?  
6 A. I don't know the exact words that were used,  
7 but yeah.  
8 Q. And when you say "that came later," did that  
9 come with Ms. Davis?  
10 A. Right. And then other documents that I  
11 documented it in.  
12 Q. Upon receipt of this complaint, are you aware  
13 of what Ms. Patti Davis did to investigate?  
14 A. Do I know what she did?  
15 Q. Yes.  
16 A. Her role or what?  
17 Q. You said her role was the investigator?  
18 A. Yes.  
19 Q. What was the -- are you aware of what actions  
20 she took to investigate your complaint?  
21 A. No.  
22 Q. Did you speak with Ms. Davis as part of your  
23 investigation?  
24 A. Yes.  
25 Q. What was your overall impression of Ms. Davis?

20 (Pages 77 to 80)

HARRIET MARIE LANE - 11/20/2019

Page 81	Page 83
<p>1 A. In the recording there I think when I met with 2 Ms. Davis, she had already formed her opinion. You 3 asked me did I know whether or not -- what she did 4 to -- what actions she took, no. But when I was 5 there -- previously to me meeting her, no, I was not 6 aware of those actions. But when I initially had the 7 meeting with her, that's when I became aware of the 8 actions that she had already participated in with other 9 people. And these were all managers, and these were all 10 people that were part of the complaint, the majority of 11 them.</p> <p>12 So my overall impression and that's what I 13 asked her on the recorder, What do you want from me, 14 because she had already formed her opinion.</p> <p>15 Q. And on what do you conclude she had already 16 formed her opinion?</p> <p>17 A. I based it on she telling me she had talked to 18 other people, and the way that she was coming at me.</p> <p>19 Q. How was she coming at you?</p> <p>20 A. Like in attack mode, confrontational.</p> <p>21 Q. How many meetings did you have with Ms. Davis?</p> <p>22 A. One, very brief.</p> <p>23 Q. And you recorded that meeting?</p> <p>24 A. Yes.</p> <p>25 Q. Did Ms. Davis know --</p>	<p>1 A. Yes.</p> <p>2 Q. With respect to all of the approximately 3 100 recordings you had, was anybody aware that you were 4 recording them at the time?</p> <p>5 A. No.</p> <p>6 Q. And were these all taking place at the Siemens 7 facility?</p> <p>8 A. No.</p> <p>9 Q. You said some of them might have been outside 10 at lunch?</p> <p>11 A. Yes.</p> <p>12 Q. Besides maybe being off-site but on a lunch 13 break in Siemens' facilities, did they take place 14 anywhere else?</p> <p>15 A. No.</p> <p>16 Q. One of the things going to Exhibit 6 here where 17 if you turn to the third page -- it has "244" at the 18 bottom -- it says "Caller's expectations" at the top.</p> <p>19 What were your expectations with respect 20 to any remedial action that you wanted in response to 21 this complaint?</p> <p>22 A. I wanted them to be made aware of the 23 discrimination, the unfair treatment, the differential 24 treatment. I wanted them to be made aware of what was 25 going on.</p>
Page 82	Page 84
<p>1 A. Yes.</p> <p>2 Q. -- you were recording that meeting?</p> <p>3 A. No.</p> <p>4 Q. Where did that meeting take place?</p> <p>5 A. That was also at the Siemens facility in one of 6 the conference rooms.</p> <p>7 Q. So with respect to that meeting you had with 8 Ms. Davis, the recording would be the accurate 9 reflection of what you guys spoke about?</p> <p>10 A. Right.</p> <p>11 Q. Did you record the entire conversation?</p> <p>12 A. No.</p> <p>13 Q. About how much? Most of it?</p> <p>14 A. Yes, most of it.</p> <p>15 Q. When did you start recording?</p> <p>16 A. As soon as I walked in.</p> <p>17 Q. So you do have the beginning? You have the 18 beginning of the conversation?</p> <p>19 A. Yes.</p> <p>20 Q. Why did you end the recording?</p> <p>21 A. It ended on its own. It interrupted.</p> <p>22 Q. Did you record it on your phone?</p> <p>23 A. Yes.</p> <p>24 Q. Were all of your recordings taken on your 25 phone?</p>	<p>1 Q. When you say "they," who are you referring to?</p> <p>2 A. I called Safecall. So I wanted them -- I mean, 3 they didn't work there at Siemens, so I wanted to bring 4 it to their knowledge of how an employee was being 5 treated.</p> <p>6 Q. As a third-party investigator or service, you 7 wanted them to look into these allegations?</p> <p>8 A. Yes.</p> <p>9 Q. Did you expect any sort of disciplinary or 10 other action to be taken against Ms. King, Mr. Piatt or 11 Mr. Shipley?</p> <p>12 A. No.</p> <p>13 Q. But you just wanted them to know and 14 investigate the matter?</p> <p>15 A. Right.</p> <p>16 Q. How did you learn about the existence of the 17 Safecall hotline?</p> <p>18 A. I can't remember. I can't remember.</p> <p>19 Q. Did Siemens give you any sort of training on 20 the existence of it?</p> <p>21 A. I don't think so.</p> <p>22 Q. Were there any sort of postings or signs or 23 anything?</p> <p>24 A. No. I probably did some research on my own and 25 found out.</p>

21 (Pages 81 to 84)

HARRIET MARIE LANE - 11/20/2019

Page 85

1 Q. Would that have been research through the  
2 Siemens intranet?  
3 A. Yes.  
4 Q. So Siemens -- sort of materials that informed  
5 you of the existence of this hotline?  
6 A. Yes.  
7 Q. You said when you walked in she informed you  
8 she had already spoken with people, and you took it that  
9 Ms. Davis had reached her conclusions already?  
10 A. Patti, yes.  
11 Q. Patti.  
12 What do you believe were Ms. Davis's  
13 conclusions at this meeting?  
14 A. That whatever they told her, that she believed  
15 them.  
16 Q. So she was already forming the basis of  
17 believing management over your complaints?  
18 A. Right.  
19 Q. And finding your complaints were  
20 unsubstantiated?  
21 A. Right.  
22 (Exhibit 7 was marked.)  
23 Q. (BY MS. GRANT) I'm handing you what's been  
24 marked as Exhibit 7. Exhibit 7 are -- have you seen  
25 Exhibit 7 before?

Page 86

1 A. Yes. I mean, yes, I have seen this.  
2 Q. Did you see this when you were preparing for  
3 your deposition here today?  
4 A. Prior to, yes.  
5 Q. And Exhibit 7, do you understand these to be  
6 Ms. Davis's notes regarding her meeting with you?  
7 A. I mean, that's what it says, yes.  
8 Q. February 8, 2015, is this the same meeting that  
9 would have been reflected in that recording?  
10 A. Yes, I believe so.  
11 Q. And so if I wanted to hear the actual  
12 conversation, I could go to your recording as opposed to  
13 viewing this summary?  
14 A. Right.  
15 Q. I want you to review this --  
16 MR. BAIL: Can we go off the record for a  
17 second?  
18 MS. GRANT: Yes.  
19 (Discussion off the record.)  
20 Q. (BY MS. GRANT) I just want to clarify for the  
21 record, your complaint was -- according to Exhibit 6,  
22 your complaint was made on January 27, 2017, correct?  
23 A. Yes.  
24 Q. And then you met with Ms. Davis as part of her  
25 investigation on February 8, 2017?

Page 87

1 A. Okay.  
2 Q. And this is the same conversation that you have  
3 on your recordings, correct?  
4 A. Right.  
5 Q. I want you to take a look at these notes, and  
6 let me know if there's anything in here that you think  
7 is inaccurate.  
8 A. What does she mean, "Therefore, she would just  
9 not go"? What does that mean?  
10 MR. BAIL: Underline or highlight portions  
11 that you want to talk to her about.  
12 A. (Witness complies.)  
13 Q. (BY MS. GRANT) So the highlighted portions on  
14 Exhibit 7 are what you think are inaccurate based on the  
15 conversation you had with Ms. Davis?  
16 A. Right.  
17 Q. And so first it looks like you have got the  
18 first paragraph that says --  
19 A. Not really inaccurate. These are her own  
20 words. And then again, this goes back to she had  
21 already formed her opinion, the confrontation and then  
22 also the attacking.  
23 Q. And so the highlighted portions are examples or  
24 at least evidence that she had formed her opinion  
25 already and are examples of when she was attacking of

Page 88

1 you?  
2 A. So these are examples.  
3 MR. BAIL: Do you want to explain to her  
4 why you highlighted those?  
5 THE WITNESS: Okay.  
6 Q. (BY MS. GRANT) Let's go ahead first one,  
7 "Therefore, she would not go. She felt Melissa was  
8 harassing her by asking her where she has been when she  
9 was not in the scheduled meetings."  
10 A. So I'm not sure what she means. "Therefore" --  
11 who is "she"? And I'm not sure what that means.  
12 Q. But other than just not understanding that  
13 portion, did you tell Ms. Davis that you felt Melissa  
14 was harassing you by asking where you were when you were  
15 not at scheduled meetings?  
16 A. So here this is why I highlighted that, because  
17 she's giving one example of harassment.  
18 Q. But you gave her many more?  
19 A. Yes. And then other people, as well.  
20 Q. The next section you highlighted is in the next  
21 paragraph below.  
22 A. Okay. Then I'm not sure why that's in there  
23 about me taking care of my mother.  
24 MR. BAIL: Just start it off so she can --  
25 THE WITNESS: Okay.

22 (Pages 85 to 88)

HARRIET MARIE LANE - 11/20/2019

Page 89	Page 91
<p>1 Q. (BY MS. GRANT) What was the next section you</p> <p>2 highlighted?</p> <p>3 A. "Harriet did not agree and chose to still be</p> <p>4 out as she needed to be." I'm not sure what that means.</p> <p>5 That's very inaccurate.</p> <p>6 Q. So you did not -- it's your contention that you</p> <p>7 did not tell Ms. Davis that you --</p> <p>8 A. If I read this, it's saying Harriet did not</p> <p>9 agree and chose to still be out as she needed to be.</p> <p>10 Q. And with respect to "She said that Melissa was</p> <p>11 not supportive because the team needed to be in the</p> <p>12 office every day to interact on various projects," so</p> <p>13 you did not agree with that contention of Ms. Lane?</p> <p>14 A. If she's saying, Harriet did not agree and</p> <p>15 chose to still be out, what are you saying? If I'm</p> <p>16 reading it, it's saying Harriet didn't agree that</p> <p>17 employees need to be in the office every day. So</p> <p>18 therefore, she was out anyway. But I wasn't...</p> <p>19 Q. So just breaking that up, did you not agree</p> <p>20 with Ms. King's belief or statement that the team needed</p> <p>21 to be in the office every day?</p> <p>22 A. I agree with that totally because I worked in</p> <p>23 the office every day except for Saturdays and Sundays.</p> <p>24 Q. But you disagree that you told her that -- A,</p> <p>25 you disagree with that in that you just decided to be</p>	<p>1 her behavior because I can't tell an adult or my</p> <p>2 supervisor to modify her behavior. So those weren't my</p> <p>3 words, either.</p> <p>4 Q. And just really quick about one comment that</p> <p>5 you had said. You said when you came back from leave</p> <p>6 you did report to a different manager?</p> <p>7 A. Yes.</p> <p>8 Q. When you came back from leave, to your</p> <p>9 knowledge, was Ms. King still an employee of Siemens?</p> <p>10 A. No.</p> <p>11 Q. So your reporting to a different manager was in</p> <p>12 part because Ms. King no longer worked there, correct?</p> <p>13 A. I don't know. I just know when I came back, I</p> <p>14 had a different manager.</p> <p>15 Q. All right. And then let's move to the next</p> <p>16 paragraph.</p> <p>17 A. Okay. So that would be the last one, that's</p> <p>18 all highlighted.</p> <p>19 Q. The whole paragraph?</p> <p>20 A. Yes.</p> <p>21 Q. Did Ms. Davis tell you that she would write her</p> <p>22 report from the discussion she had with you and provide</p> <p>23 it to HR?</p> <p>24 A. So this is my reason for highlighting this, key</p> <p>25 word, "report." When I came back, I got a PIP.</p>
Page 90	Page 92
<p>1 out of the office when needed?</p> <p>2 A. Yeah, I disagree with that statement here. And</p> <p>3 then going back to the next paragraph here.</p> <p>4 Q. Yes, the third one. What did you highlight?</p> <p>5 A. "She said she wanted to report to a different</p> <p>6 manager or for Melissa to modify her behavior and treat</p> <p>7 her differently (which in her mind meant just leave her</p> <p>8 alone so she can do whatever she wants to do." I'm</p> <p>9 not -- that's not anything that I said.</p> <p>10 Q. So you never informed Ms. Davis that you wanted</p> <p>11 to report to a different manager?</p> <p>12 A. Yes. If we can't come to terms and improve our</p> <p>13 relationship, then I would like to be -- have another</p> <p>14 manager. And that's when I was told there are no other</p> <p>15 managers available. But when I came back from leave,</p> <p>16 there was. I was put under another manager. But this</p> <p>17 here, what it says in parentheses, I'm not sure how she</p> <p>18 was able to form that statement.</p> <p>19 Q. You don't know on what basis she decided that</p> <p>20 you had just wanted to be left alone so you can do</p> <p>21 whatever you wanted to do?</p> <p>22 A. Right.</p> <p>23 Q. But you did ask either to have a different</p> <p>24 manager or have Melissa modify her behavior, correct?</p> <p>25 A. Right. Let's come to -- I didn't say modify</p>	<p>1 Q. Did you ever see a report drafted by Ms. Davis?</p> <p>2 A. No, not until I came back. Along with the PIP.</p> <p>3 It was all connected.</p> <p>4 Q. Did she tell you she would write a report?</p> <p>5 A. A report but I got a PIP, a Performance</p> <p>6 Improvement Plan.</p> <p>7 Q. Did she also give you a report?</p> <p>8 A. No. She didn't give me anything.</p> <p>9 Q. But did Ms. Davis prepare a report?</p> <p>10 A. There was one prepared by her, yes.</p> <p>11 Q. Along with it?</p> <p>12 A. Yes.</p> <p>13 Q. And why else do you have this highlighted? Did</p> <p>14 she say Linda Hubbard would follow up with you?</p> <p>15 A. I just highlighted the whole thing, but the</p> <p>16 main thing is she said she would give me a report. I</p> <p>17 didn't receive the report. Linda provided me with a</p> <p>18 report, and she didn't put anything in here about a</p> <p>19 Performance Improvement Plan.</p> <p>20 Q. Okay. Thank you.</p> <p>21 As far as -- again, I know I've said this,</p> <p>22 but I want to make sure I'm clear, the actual subject of</p> <p>23 your -- almost the entire conversation was in that</p> <p>24 recording, correct?</p> <p>25 A. Yes, almost, yes.</p>

23 (Pages 89 to 92)

HARRIET MARIE LANE - 11/20/2019

Page 93

1 Q. Do you recall when it kicked off and ended?  
 2 A. No.  
 3 Q. Did it capture most of the conversation?  
 4 A. Right. And it was a majority of Patti doing  
 5 the talking and I was listening.  
 6 Q. Going back to the actual nature of your  
 7 complaint, the Safecall report, I just want to go  
 8 through and make sure I understand what you were  
 9 complaining about that Ms. Davis was investigating.  
 10 You have got a number of different items.  
 11 Turning to Exhibit 6, No. 1 says you were singled out by  
 12 Ms. King for unfair treatment.  
 13 Melissa King was your supervisor, correct?  
 14 A. Yes.  
 15 Q. When was Ms. King your supervisor?  
 16 A. I don't know exactly when she became my  
 17 supervisor, but, yeah, she was my supervisor the year of  
 18 2016, 2017.  
 19 Q. Was Ms. King your supervisor when you left on  
 20 leave?  
 21 A. Yes.  
 22 Q. On February 2017?  
 23 A. Yes.  
 24 Q. But then when you returned in May 2017, she was  
 25 no longer your supervisor?

Page 94

1 A. Right.  
 2 Q. And you have no knowledge regarding the basis  
 3 of why Ms. King was not your supervisor when you  
 4 returned?  
 5 A. No.  
 6 Q. How did Ms. King single you out or treat you  
 7 unfairly?  
 8 A. She just treated me differently than some of  
 9 the other employees.  
 10 Q. How did she treat you differently?  
 11 A. Like I said, excessive monitoring, you know, we  
 12 never had a -- I had to consistently demand that we talk  
 13 about -- not demand but request that we talk about my  
 14 expectations once she became my supervisor. That never  
 15 occurred until after -- she became my supervisor in  
 16 2016, but we never had the conversation about  
 17 expectations and goals until like February of 2017.  
 18 Yeah.  
 19 Q. Any other unfair treatment by Ms. King?  
 20 A. No, not at the time.  
 21 Q. And you relayed these two complaints regarding  
 22 the excessive monitoring and the goals and expectations  
 23 to Ms. Davis in the investigation?  
 24 A. Yes.  
 25 Q. And --

Page 95

1 A. Then there was like questions about my PTO,  
 2 when I'm going to take PTO, and just a lot of things  
 3 about my personal time off. So there was issues there,  
 4 as well.  
 5 Q. So Ms. King would ask you questions about your  
 6 PTO?  
 7 A. Not really. We talked about it. Yeah, that's  
 8 when she sent me an email asking me what time I was  
 9 going to come in. You know, so she wanted to have that  
 10 documented, what time I was going to come in in the  
 11 mornings, what time I was going to leave, things of that  
 12 nature.  
 13 Q. Any other unfair treatment by Ms. King that was  
 14 forming the basis of your complaint?  
 15 A. Not that I can think of.  
 16 Q. With respect to the excessive monitoring, I  
 17 know earlier we discussed Bill Piatt. How was Ms. King  
 18 doing the excessive monitoring of you?  
 19 A. Well, they're good friends. She and Bill Piatt  
 20 are very good friends. So I would see him going into  
 21 her office, and then when she would come out of the  
 22 office, it was like he was coaching her.  
 23 Q. So with respect to the excessive monitoring  
 24 that you described by Mr. Piatt earlier, Ms. King did  
 25 the same type of things?

Page 96

1 A. She couldn't do the customer satisfaction  
 2 because she was no longer there at the time.  
 3 Q. But the 2016 that we discussed, you said the  
 4 emailing, asking where you were --  
 5 A. No. She asked me what time I'm going to come  
 6 in, what time I'm going to, you know, come in. She  
 7 wanted an email on that. Her office was down the hall,  
 8 and so she wanted me to email her what time I was going  
 9 to come in every day and what time I was going to leave.  
 10 Q. Now, what do you mean she emailed you? Was she  
 11 asking you that you email her every single day --  
 12 A. No.  
 13 Q. -- or was she asking once what would your  
 14 schedule be?  
 15 A. What my schedule would be. She wanted that  
 16 documented.  
 17 Q. And are you aware of whether or not she asked  
 18 this of other employees?  
 19 A. No, I'm not sure.  
 20 (Exhibit 8 was marked.)  
 21 Q. (BY MS. GRANT) I'm handing you what's been  
 22 marked as Exhibit 8. Exhibit 8 is an email  
 23 communication dated October 18, 2016, between Ms. King  
 24 and you.  
 25 Do you recognize this email?

24 (Pages 93 to 96)

HARRIET MARIE LANE - 11/20/2019

Page 97

1 A. Yes.

2 Q. First off at the top you'll see there looks  
3 like an email forward to hmlane33@yahoo.com.

4 Is that your personal email address?

5 A. Yes.

6 Q. Why did you forward this to your personal email  
7 address?

8 A. So at the time -- when did this happen? This  
9 was after I filed the complaint. That was before I  
10 filed -- that was after -- that was before I filed the  
11 complaint. But remember in July -- June-July time  
12 frame, that's when I started making complaints to Linda.  
13 So there was no resolution. So I had to, you know,  
14 cover myself, and so I'm emailing myself.

15 Q. Did you inform anyone at Siemens that you were  
16 forwarding these emails to your personal email?

17 A. No.

18 Q. Now, with respect to this email communication,  
19 if you look at the bottom, Dear Ms. Lane, "I'm trying to  
20 get a feel for what hours everyone works. So could you  
21 please provide me with your normal business working  
22 schedule?"

23 Is this the excessive monitoring of your  
24 schedule?

25 A. Yes.

Page 99

1 A. No.

2 Q. On what basis do you believe this was because  
3 of your race?

4 A. She didn't have any other black females that  
5 worked for her.

6 Q. Other than the fact she didn't have any other  
7 African-American females, is there any other evidence to  
8 support your belief that she did this to discriminate  
9 against you?

10 A. No.

11 Q. Do you contend that she did this to  
12 discriminate against you because of your gender?

13 A. No. We're both females. No.

14 Q. Do you contend that she sent this email in  
15 order to retaliate against you for anything?

16 A. Like I said -- no.

17 Q. But she did monitor you and ask about your  
18 schedule because you are an African-American female?

19 A. Uh-huh.

20 Q. Any other form of excessive monitoring that you  
21 contend or that you complained about with respect to  
22 Ms. King?

23 A. No.

24 Q. You stated also the demand -- Ms. King refused  
25 to talk to you about your goals and expectations?

Page 98

1 Q. And so do you contend that she sent you this  
2 email in order to discriminate against you?

3 A. Yes.

4 Q. On what basis?

5 A. Basis because I'm being an African-American  
6 woman.

7 Q. But you are not sure if she asked any other  
8 employees to --

9 A. No.

10 Q. -- give her schedules?

11 MR. BAIL: Make sure she finishes her  
12 statement.

13 Q. (BY MS. GRANT) It's hard and I know I have  
14 done it a couple of times too.

15 MR. BAIL: It gets conversational after a  
16 while.

17 Q. (BY MS. GRANT) Is there any other occasions  
18 that Ms. King sent you a similar email?

19 A. I'm not sure. There may have been.

20 Q. But what we were just discussing on the  
21 excessive monitoring, this is the email you are  
22 referring?

23 A. Yes.

24 Q. And you don't know, again, if she asked her  
25 other employees?

Page 100

1 A. Right.

2 Q. What are those goals and expectations?

3 A. Just something I wanted to talk about. Because  
4 she was my new supervisor, and this is something that I  
5 had done with Patrik. Any time I received a new  
6 supervisor, I wanted to get that rapport. So I would  
7 talk about, you know, what are your goals, what are your  
8 expectations and things of that nature.

9 And she never wanted to do that, like I  
10 said. So she became my supervisor in 2016. We didn't  
11 have the meeting until 2017.

12 Q. And so this was not a formal Siemens procedure?  
13 It was a request by you to, Hey, you're my new  
14 supervisor. I want to sit down and figure out what do  
15 you expect of me?

16 A. Right.

17 Q. But you did end up having this conversation,  
18 but as you said, months later?

19 A. Right. Right.

20 Q. Did not having this meeting have any effect on  
21 your pay?

22 A. No. I mean, I don't know. At the time we were  
23 doing merit increases, so I don't know.

24 Q. Would this goals and expectations meeting, to  
25 your knowledge, have any effect or role on merit

25 (Pages 97 to 100)



HARRIET MARIE LANE - 11/20/2019

Page 101	Page 103
<p>1 increases?</p> <p>2 A. Yes.</p> <p>3 Q. And what effect?</p> <p>4 A. I mean, if you set your goals and expectations,</p> <p>5 remember that's your performance plan. And so -- and</p> <p>6 also your objectives. And so when you identify those,</p> <p>7 when it comes to mid-year and then also comes to the end</p> <p>8 of the year, they are going to use that information to</p> <p>9 base whether or not you get a merit increase or</p> <p>10 promotion. So yes, I believe it was used to form a</p> <p>11 basis for merit and pay increases as well.</p> <p>12 Q. When each year would you receive merit bonuses</p> <p>13 and pay increases?</p> <p>14 A. I can't remember exactly. I want to say it was</p> <p>15 either November or May -- or maybe March of the</p> <p>16 following year.</p> <p>17 Q. And for around that time did you receive a</p> <p>18 merit increase or bonus reflecting the 2016 year?</p> <p>19 A. I can't remember.</p> <p>20 Q. Is there any other allegation of unfair</p> <p>21 treatment by Ms. King that you raised during this</p> <p>22 Safecall?</p> <p>23 A. Not that I can recall.</p> <p>24 Q. What basis or do you contend that Ms. King</p> <p>25 refused to have this meeting with you because of your</p>	<p>1 taken from her PTO rather than working the time up at</p> <p>2 the end of a shift."</p> <p>3 Do you recall making a complaint about</p> <p>4 that with respect to Ms. King?</p> <p>5 A. I don't know if it was to her or HR but yes.</p> <p>6 Q. And do you contend Ms. King required you to use</p> <p>7 PTO because of your gender or race?</p> <p>8 A. The PTO? No, I don't think that had anything</p> <p>9 to do with my gender or my race.</p> <p>10 Q. Do you believe it was in retaliation for</p> <p>11 anything?</p> <p>12 A. Yes. Like I said, I believe she was being</p> <p>13 coached by Bill Piatt, yes.</p> <p>14 Q. So you believe that Ms. King's requirement that</p> <p>15 you take PTO was done in retaliation for complaining to</p> <p>16 Ms. Hubbard about Bill King?</p> <p>17 A. Bill Piatt.</p> <p>18 Q. Piatt. Thank you.</p> <p>19 Do you have any knowledge that Ms. King</p> <p>20 was aware of your complaints about Mr. Piatt?</p> <p>21 A. No.</p> <p>22 Q. And on what basis do you believe that Ms. King</p> <p>23 required you to take PTO in instances where you came in</p> <p>24 late in retaliation?</p> <p>25 A. Used PTO for coming in late? I don't</p>
Page 102	Page 104
<p>1 race?</p> <p>2 A. What, the meeting?</p> <p>3 Q. Yes.</p> <p>4 A. I'm not sure why she didn't want to have the</p> <p>5 meeting.</p> <p>6 Q. Going back to Exhibit 6, the next couple bullet</p> <p>7 points have a description of facts, and Bullet Point</p> <p>8 No. 4 it describes in October 2016 Ms. King was assigned</p> <p>9 as a new officer on your team.</p> <p>10 Does that refresh your recollection as to</p> <p>11 when Ms. King became your manager?</p> <p>12 A. Okay.</p> <p>13 Q. She started asking you what hours you would be</p> <p>14 working on a daily and weekly basis. "Ms. Lane believes</p> <p>15 she was being singled out by Ms. King, as her other two</p> <p>16 colleagues she worked with were not treated in the same</p> <p>17 way."</p> <p>18 That is the email we already discussed,</p> <p>19 correct?</p> <p>20 A. Okay.</p> <p>21 Q. Correct?</p> <p>22 A. Yes.</p> <p>23 Q. No. 5 too says, "Ms. Lane was also told she</p> <p>24 would not be allowed to work from home, and any time off</p> <p>25 or late starts for welfare matters would have to be</p>	<p>1 understand.</p> <p>2 Q. No. 4 says any time you were off or late</p> <p>3 starts, you would have to take PTO. That's what No. 5</p> <p>4 says?</p> <p>5 A. Oh, No. 5.</p> <p>6 Q. Yes.</p> <p>7 A. Okay. So what was your question again in</p> <p>8 regards to that?</p> <p>9 Q. Backing up, do you contend -- is No. 5 do you</p> <p>10 contend Ms. King's actions were done in retaliation for</p> <p>11 your complaints about Bill Piatt?</p> <p>12 A. For this here?</p> <p>13 Q. Yes.</p> <p>14 A. No. Just the -- like I said, the excessive</p> <p>15 monitoring.</p> <p>16 Q. Were there any other actions you believe</p> <p>17 Ms. King took in retaliation for your complaints about</p> <p>18 Mr. Piatt?</p> <p>19 A. Not that I can think of right now.</p> <p>20 Q. But with respect to the PTO issue, you are not</p> <p>21 contending that was done in retaliation for any actions?</p> <p>22 A. No.</p> <p>23 Q. Is the issue regarding taking your PTO forming</p> <p>24 the basis of any complaints you have here today?</p> <p>25 A. No.</p>

26 (Pages 101 to 104)

HARRIET MARIE LANE - 11/20/2019

Page 105

1 Q. Moving down to Bullet Point No. 6 -- strike  
2 that.  
3 Bullet Point No. 7, you state that you  
4 felt you had been targeted by Ms. King and believed it  
5 to be a form of harassment. And here she says you tried  
6 to stop -- Ms. King tried to stop you from going to a  
7 prestigious audit workshop in Germany and that had to be  
8 overruled by a senior member of management when Ms. Lane  
9 brought it to their attention via HR.  
10 A. Yes.  
11 Q. Is it your contention that you were prevented  
12 from going to this workshop in Germany because of your  
13 gender or race?  
14 A. I believe it was more so because of the race,  
15 yes.  
16 Q. And is that forming the basis of any of your  
17 complaints here today?  
18 A. Yes. I was eventually allowed to go, but it  
19 was overruled by her manager.  
20 Q. So you were actually ultimately allowed to  
21 attend this Germany training?  
22 A. Right. Patrik allowed me to go.  
23 Q. When was this training?  
24 A. I want to say that was in January 2017.  
25 Q. Was this training required for your position?

Page 107

1 Q. Yes, absolutely.  
2 What evidence do you have that Ms. King  
3 didn't -- or I guess said no to this training at first  
4 because of your race?  
5 A. I don't have any.  
6 Q. Your personal belief?  
7 A. Right.  
8 Q. What evidence do you have that Ms. King said no  
9 to this training in retaliation for your complaints  
10 about Bill Hubbard [sic]?  
11 A. I don't have any evidence, other than my  
12 personal beliefs. Well, my personal belief is my  
13 evidence.  
14 Q. Who ultimately approved of you going to the  
15 training?  
16 A. That was Patrik.  
17 Q. What is Patrik's full name?  
18 A. Hols, H-O-L-S.  
19 Q. What is Mr. Hols' race?  
20 A. He's a German.  
21 Q. Is he Caucasian?  
22 A. I thought they were German.  
23 MR. BAIL: There could be a black German.  
24 There's very few.  
25 A. He's white.

Page 106

1 A. Yes.  
2 Q. As a result of this training, did you receive  
3 any sort of increase in your merit or your pay?  
4 A. No.  
5 Q. Did you receive any additional duties and  
6 responsibilities or promotion because you attended this  
7 training?  
8 A. No.  
9 Q. What was the reason that Ms. King tried to  
10 prevent you from going?  
11 A. I'm not sure.  
12 Q. And it's your contention that Ms. King at least  
13 tried to stop you because of your race?  
14 A. Right.  
15 Q. Do you contend she tried to stop you from going  
16 in retaliation for anything?  
17 A. Yes.  
18 Q. Is it the complaints about Ms. Hubbard?  
19 A. To --  
20 Q. To Ms. Hubbard about Mr. Piatt?  
21 A. Yes.  
22 Q. On what basis do you believe that Ms. King had  
23 said no to this training because of your race?  
24 A. That's -- I get confused here. Can you reword  
25 that when you say "basis"?

Page 108

1 (Exhibit 9 was marked.)  
2 Q. (BY MS. GRANT) I'm handing you what's been  
3 marked as Exhibit 9. Exhibit 9 is an email chain  
4 entitled "Upcoming Trainings."  
5 Do you recall or recognize Exhibit 9?  
6 A. Yes.  
7 Q. And is Exhibit 9 the email discussing the  
8 Germany training that we're discussing right now?  
9 A. Yes.  
10 Q. And according to Exhibit 9, it says if you look  
11 on the front page, Ms. King told you that the reason you  
12 were not entitled to go to the training was due to the  
13 financial position or the costs associated with the  
14 training.  
15 Did she tell you that?  
16 A. I mean, this is what's in the email.  
17 Q. Did you have any reason to believe that was not  
18 true at the time you received it?  
19 A. Yes.  
20 Q. On what basis did you believe that was not  
21 true?  
22 A. Because other locations -- it was a global  
23 company, and so other locations, other people in my role  
24 were being afforded the opportunity, allowed the  
25 opportunity to attend. Even a colleague that

27 (Pages 105 to 108)

HARRIET MARIE LANE - 11/20/2019

Page 109	Page 111
<p>1 lived -- that was in -- yes. So I believe this is not 2 true. 3 Q. Did any other colleagues at the Telge facility 4 that you worked at get the opportunity to attend this 5 Germany training at this time? 6 A. No. They didn't receive an invite, and no. 7 Q. Do you have any personal knowledge about the 8 budget or financial position of the company in your 9 division at this time? 10 A. I'm sure there were -- we have the all-hands 11 meetings, town hall meetings, and they talked about it 12 at that time. But as far as if we were in the negative 13 or anything like that, I don't have that information 14 with me. 15 Q. And then above that, if you look December 7, so 16 about a week later is where Mr. Hols tells you that he's 17 decided you actually can now go to the meeting? 18 A. Right. Yes. He's the one that gave the 19 approval. 20 Q. I want to go back. According to Ms. King's 21 email, it says that Patrik was the one who decided at 22 first not to send you. 23 Did you believe that to be false? 24 A. Patrik? No, I didn't believe that, no. 25 Q. You believe it was Ms. King at first who said</p>	<p>1 discussed? 2 A. Okay. I don't understand No. 9. You are 3 talking about No. 9? 4 Q. Yes. 5 A. "All of the above information and more is in 6 the domain of Siemens HR." Who is saying this? 7 Q. This appears to be a summary of your 8 complaints. Did you relay to them that Ms. Hubbard had 9 all the information about these items you described? 10 A. I'm not aware of that. And then "Various 11 meetings have taken place with Ms. Lane" -- because they 12 are talking about me -- "and Ms. King, Mr. Hols and 13 Ms. Hubbard to resolve matters and find a way forward." 14 Q. Did you have meetings with Mr. Hols, Ms. King 15 and Ms. Hubbard? 16 A. Talking about a way forward? 17 Q. Yes. 18 A. No. Remember, the Safecall was in January. So 19 I have never had a meeting -- remember, I was filing the 20 complaints in July of 2016 and we never had a meeting. 21 Q. But with respect to these items on this list 22 that we have gone through, the training, the goals and 23 expectations, the singling out with the hours, did you 24 ever have any meetings prior to January 2017 to discuss 25 those?</p>
Page 110	Page 112
<p>1 no? 2 A. Yes. 3 Q. And Patrik here says, "As I said, we are under 4 significant financial constraints." 5 Did you again believe that was false from 6 Mr. Hols? 7 A. Yes. 8 Q. But despite those, you still did get to go to 9 the training? 10 A. Right. 11 Q. Let's jump back to Exhibit 6. I would just 12 keep Exhibit 6 handy because we are going to walk 13 through those. 14 We were on Item No. 7. The next one is 15 Item No. 8 where it says, "Ms. King also delayed a 16 'goals and expectations' appraisal." 17 Is that what we have already discussed 18 today? 19 A. You are saying on No. 7 or 6? 20 Q. No. 8 on Exhibit 6. 21 A. Yes. 22 Q. No. 9 says various meetings take place with 23 Ms. Lane, Ms. King, Mr. Hols and Ms. Hubbard to resolve 24 the matters and find a way forward. 25 Is that with respect to the items</p>	<p>1 A. Okay. So we had emails, no meetings. 2 Q. Okay. And is that why you then ultimately made 3 the call to Safecall? 4 A. Because of this? 5 Q. Because you only had emails. 6 A. No. This is a combination of everything. 7 Q. Okay. Next, if you move to No. 10, it says 8 "Ms. Lane feels the company has closed ranks and 9 unfairly taken the side of Ms. King as various emails 10 have recently been sent to all the workforce about when 11 PTO can and cannot be taken." 12 <b>As we discussed, you are not forming any</b> 13 <b>complaints in this lawsuit about your PTO?</b> 14 <b>A. No, nothing about PTO.</b> 15 Q. No. 11 reflects statements made by Kim Long, 16 that Ms. Long noticed you were treated different from 17 other colleagues. 18 Are those statements we already discussed? 19 A. Yes. 20 Q. You stated that -- No. 12, the report states 21 that you reported you felt you were being treated 22 unfairly and suffered a great distress at the hands of 23 Ms. King and it's taken a toll on your health in a 24 negative way? 25 A. Yes.</p>

28 (Pages 109 to 112)

HARRIET MARIE LANE - 11/20/2019

Page 113

1 Q. Did you complain about that in Safecall?  
 2 A. Yes.  
 3 Q. What tolls did it have?  
 4 A. I believe I released for you guys to get the  
 5 medical report. So you'd probably have to refer to that  
 6 to get more information.  
 7 Q. So with respect to your medical symptoms as a  
 8 result of the actions of Siemens, that's best reflected  
 9 in the medical reports?  
 10 A. Yes.  
 11 Q. Did you raise any other allegations or  
 12 complaints about Ms. King in this hotline complaint?  
 13 A. Not that I'm aware of, no.  
 14 Q. You also said that you raised complaints and  
 15 allegations about Bill Piatt?  
 16 A. Yes.  
 17 Q. And what complaints did you raise about Bill  
 18 Piatt in your Safecall complaint to Ms. Davis?  
 19 A. So I made those calls to -- I made those  
 20 complaints to Safecall, Linda Hubbard, Patti, Tony,  
 21 several times.  
 22 MR. BAIL: But what specifically did you  
 23 complain to Safecall about Bill?  
 24 A. Differential treatment, the discrimination,  
 25 pretty much that's what I complained about.

Page 114

1 Q. (BY MS. GRANT) What we have already discussed?  
 2 A. Yes.  
 3 Q. Finally, you said earlier that you also  
 4 complained to Ms. Davis in this complaint about Mark  
 5 Shipley?  
 6 A. Right.  
 7 Q. And who is Mark Shipley?  
 8 A. He was the president, CEO. I can't remember  
 9 the title. One of the two.  
 10 Q. And what is Mr. Shipley's race?  
 11 A. He's Caucasian.  
 12 Q. And I'm not sure if I asked you, what is  
 13 Mr. Piatt's race?  
 14 A. Caucasian.  
 15 Q. What complaints did you have at this time  
 16 regarding Mark Shipley?  
 17 A. So like I said, he was allowing this. So he  
 18 was allowing some of the treatment to go forward, and he  
 19 and Bill were also good friends.  
 20 Q. And so do you contest that Mr. Shipley allowed  
 21 Mr. Piatt to continue to do the actions we've already  
 22 discussed because of your gender?  
 23 A. Because of my gender, because of my race,  
 24 because of me being -- filing the complaints.  
 25 Q. Do you have any knowledge that Mr. Shipley was

Page 115

1 aware of your complaints to Linda Hubbard?  
 2 A. Yes.  
 3 Q. On what do you base the conclusion that  
 4 Mr. Shipley was aware that you complained to Ms. Hubbard  
 5 about Mr. Piatt?  
 6 A. Okay. So when I came back from FMLA, she told  
 7 me. He was part of the PIP meeting.  
 8 Q. Are you aware of whether Mr. Piatt was aware of  
 9 your complaints to Ms. Hubbard about you?  
 10 A. He was in that meeting.  
 11 Q. So there was a meeting when you came back from  
 12 leave that discussed your complaints to Ms. Hubbard?  
 13 A. There was a meeting when I came back about the  
 14 Performance Improvement Plan, and they were all in the  
 15 meeting.  
 16 Q. During this meeting did they specifically  
 17 reference your complaints to Ms. Hubbard?  
 18 A. I can't remember.  
 19 Q. Did you record that meeting?  
 20 A. Yes, ma'am.  
 21 Q. Did they know you were recording?  
 22 A. No.  
 23 Q. But that recording would be the most accurate  
 24 reflection of the PIP conversation?  
 25 A. Right. There were several meetings about that

Page 116

1 PIP.  
 2 Q. Did you record the entire conversation when you  
 3 were placed on the PIP?  
 4 A. I recorded the entire conversation, yes, ma'am.  
 5 Q. Other than allowing Mr. Piatt to treat you the  
 6 way we have discussed, is there any other actions that  
 7 you complained about with respect to Mr. Shipley?  
 8 A. Not that I can recall.  
 9 Q. Other than your personal belief that he did  
 10 this in discrimination and retaliation against you, do  
 11 you have any evidence?  
 12 A. No. Other than, like I said, what Linda said.  
 13 Q. Other than your personal belief and the fact  
 14 that he knew of your complaints?  
 15 A. Right. That Linda said he knew about the  
 16 complaints and he was a part of the meeting.  
 17 Q. At the time you raised this Safecall complaint,  
 18 did you raise any other complaints of discrimination or  
 19 retaliation?  
 20 A. Outside of Siemens? No.  
 21 Q. Yes, to your Safecall report?  
 22 A. No.  
 23 Q. And are you aware of how Ms. Davis ultimately  
 24 concluded in her investigation?  
 25 A. She gave the Performance Improvement Plan and

29 (Pages 113 to 116)

HARRIET MARIE LANE - 11/20/2019

Page 117

1 she -- you said there was a report, too. You showed me  
2 that report.

3 MS. GRANT: Can we take a couple minutes  
4 off the record?

5 MR. BAIL: Sure.

6 (A recess was taken.)

7 (Exhibit 10 was marked.)

8 Q. (BY MS. GRANT) Ms. Lane, I'm handing you  
9 what's now been marked as Exhibit 10.

10 Have you seen Exhibit 10 before?

11 A. Yes.

12 Q. What is Exhibit 10?

13 A. "Contents of a HR Investigation Report Safecall  
14 Report SIE 03/17."

15 Q. And is Exhibit 10 a final report from Ms. Davis  
16 outlining her conclusions and her investigation?

17 A. Yes, that's what it has on there.

18 Q. And were you ever given a copy of this report?

19 A. No.

20 Q. Were you aware that she issued a final report?

21 A. It was -- no.

22 Q. I want to go to --

23 MR. BAIL: Can we go off the record?

24 MS. GRANT: Yes.

25 (A recess was taken.)

Page 118

1 Q. (BY MS. GRANT) Ms. Lane, we're back on the  
2 record. You understand we're still under oath here  
3 today?

4 A. Yes.

5 Q. When we took a break, we were discussing  
6 Ms. Davis' final report from her investigation, which is  
7 Exhibit 10.

8 Am I correct that you testified that you  
9 had not seen Exhibit 10 before?

10 A. No.

11 Q. But did you understand that Ms. Davis concluded  
12 that your concerns about unfair treatment, being  
13 targeted or being harassed were not substantiated?

14 A. Right.

15 Q. As far as you know, are you aware of any  
16 personal connection between Ms. Davis and Ms. King?

17 A. No.

18 Q. Are you aware of any connection between  
19 Ms. Davis and Mr. Shipley?

20 A. No.

21 Q. And what about Ms. Davis and Mr. Piatt? So is  
22 there any evidence or are you aware of any evidence that  
23 would lead to a belief that Ms. Davis had any sort of  
24 bias towards any of these three individuals?

25 A. No. Other than the fact these were -- these

Page 119

1 were managers. Other than my permanent belief, I don't  
2 have any evidence.

3 Q. Even though you didn't see Exhibit 10, did  
4 Ms. Davis relay the findings or her conclusion to you?

5 A. This year, no, I have never seen this. I  
6 didn't see the report until I got back -- until I was  
7 returned from medical leave.

8 Q. So I want to break that up. So you did see  
9 Exhibit 10, but you didn't see it until May 2017?

10 A. No. This is the conclusion, correct?

11 Q. Yes.

12 A. No. The report is what I saw, the one that we  
13 saw, Exhibit 6.

14 Q. So the outline of your --

15 A. 7.

16 Q. Oh. So you were given, when you returned, a  
17 copy of her notes?

18 A. This is all I received.

19 Q. Okay. Thank you.

20 And then --

21 A. I have never seen this.

22 Q. But you were aware that Ms. Davis concluded  
23 your claims were not substantiated, correct?

24 A. So you are saying -- what do you mean by that?

25 Q. I had asked you earlier Ms. Davis' conclusion

Page 120

1 was that your claims were not substantiated. And you  
2 said you were aware of that conclusion.

3 A. Okay.

4 Q. How did you become aware of that conclusion?

5 A. So you are saying not substantiated? No. The  
6 only thing I knew -- it was my belief this was the final  
7 report.

8 Q. Okay.

9 A. Exhibit 7.

10 Q. Okay.

11 A. I never knew that there was anything other  
12 than --

13 Q. I'm not talking about the existence of  
14 Exhibit 10. I'm talking about her ultimate conclusion  
15 that your complaints were not substantiated.

16 A. No, I didn't know that was her conclusion.

17 Q. Thank you.

18 Is it your contention that Ms. Davis took  
19 any actions to discriminate against you?

20 A. Ms. Davis? I think it was more for  
21 retaliation -- I mean, Ms. Davis?

22 Q. Yes.

23 A. No.

24 Q. So you are not forming any claims today in this  
25 lawsuit based on Ms. Davis' actions?

30 (Pages 117 to 120)

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HARRIET MARIE LANE - 11/20/2019

Page 121

1 A. No.  
 2 Q. So your claims are not based upon the  
 3 conclusions of Ms. Davis' investigation?  
 4 A. So mine are for discrimination race, gender and  
 5 then also retaliation.  
 6 Q. I understand that, but not based on anything  
 7 Ms. Davis did or did not do?  
 8 A. Well, some of the information in that report,  
 9 this one here, Exhibit 7. Okay? I believe that was  
 10 used to -- as retaliation, yes.  
 11 Q. So you believe Ms. Davis' conclusions were in  
 12 retaliation against you?  
 13 A. Right. So going back to what I said, that when  
 14 I had the conversation with her, it was more  
 15 confrontational and attacking. So, yes.  
 16 Q. And you believe she was acting that way in  
 17 retaliation?  
 18 A. Yes.  
 19 Q. In retaliation for what?  
 20 A. So me filing the complaint with the Safecall  
 21 and then also those complaints that was filed to Linda,  
 22 yes.  
 23 Q. And did you discuss with Ms. Davis your  
 24 previous complaints to Linda Hubbard?  
 25 A. Yes.

Page 122

1 Q. And on what basis do you believe Ms. Davis was  
 2 confrontational toward you in your meeting in order to  
 3 retaliate against you?  
 4 A. Going back to I filed a complaint.  
 5 Q. On what basis why do you believe she did that  
 6 in order to retaliate against you?  
 7 A. I'm not sure what her personal belief was or  
 8 her personal reason.  
 9 Q. But your personal belief was she acted that way  
 10 in order to retaliate against you?  
 11 A. Yes.  
 12 Q. Other than being confrontational towards you in  
 13 that meeting and already making up her mind as far as  
 14 investigation, did Ms. Davis undertake any other actions  
 15 that you believe were retaliation against you?  
 16 A. No.  
 17 Q. Did you have any other contact with Ms. Davis  
 18 after her investigation?  
 19 A. Right. Yes. So we had a call.  
 20 Q. And what did you discuss during that call?  
 21 A. She was going to provide a report, which I  
 22 never received.  
 23 Q. Is that a call separate from that conversation  
 24 in Exhibit 7?  
 25 A. Yes.

Page 123

1 Q. Was that before or after Exhibit 7?  
 2 A. This happened on 2/8. This was after, the call  
 3 was after.  
 4 Q. And you had mentioned that after this  
 5 investigation you were then informed that you were being  
 6 placed on a PIP?  
 7 A. Yes, Performance Improvement Plan, when I  
 8 returned from FMLA, medical leave.  
 9 (Exhibit 11 was marked.)  
 10 Q. (BY MS. GRANT) I'm handing you what's been  
 11 marked as Exhibit 11.  
 12 A. Do I keep Exhibit 10 out?  
 13 Q. We are done with Exhibit 10.  
 14 And Exhibit 11 is dated February 13, 2017,  
 15 and it's a memo to you from Ms. Davis.  
 16 Do you recognize Exhibit 11?  
 17 A. Yes.  
 18 Q. And just turn real quick to the back page.  
 19 There it says here "Acknowledgment of receiving this  
 20 letter," said you refused to sign, but below that is a  
 21 note and a signature.  
 22 Is that your handwriting?  
 23 A. This note, yes.  
 24 Q. Not your signature?  
 25 A. This is a different document, because the one

Page 124

1 that I had was circled. The one that I made comments on  
 2 was circled. The date is circled on here.  
 3 MR. BAIL: Where? Where?  
 4 THE WITNESS: I had circled down here.  
 5 And this is not the same one.  
 6 Mr. BAIL: You had circled this?  
 7 THE WITNESS: Yes.  
 8 (Exhibit 12 was marked.)  
 9 Q. (BY MS. GRANT) I'll hand you what's been  
 10 marked as Exhibit 12. Is Exhibit 12 the document that  
 11 you are referring when you talk about the PIP?  
 12 A. Yes.  
 13 Q. And so you received this on May 22, 2017?  
 14 A. This here?  
 15 Q. Yes.  
 16 A. I'm not sure of the date because here it says  
 17 "5/24," and I'm not sure of the date. And again, they  
 18 took the dates off that were there at the very bottom  
 19 where I had circled.  
 20 MS. GRANT: It appears my --  
 21 A. This is a control document, so it's going to  
 22 have a control number at the bottom.  
 23 Q. (BY MS. GRANT) Is it your contention that  
 24 Ms. Davis had any role in the decision to place you on a  
 25 PIP?

31 (Pages 121 to 124)



HARRIET MARIE LANE - 11/20/2019

Page 125

1 A. Yes.  
 2 Q. And do you believe that Ms. Davis placed you on  
 3 a PIP in order to discriminate against you?  
 4 A. Yes.  
 5 Q. Based on what status?  
 6 A. Me filing the complaints.  
 7 Q. In retaliation against you?  
 8 A. Yes, ma'am.  
 9 Q. Who placed you -- you said you had a call with  
 10 her where you were informed of being placed on a PIP?  
 11 A. No. I didn't say that. You asked me about did  
 12 I have any other calls or any other interaction with her  
 13 after Exhibit 7, which is dated 2/8/2017.  
 14 Q. And you said you were placed on a PIP  
 15 thereafter?  
 16 A. So what I said is, yes, we had interactions  
 17 after 2/8 which was a call. So I didn't get the PIP or  
 18 become -- and become aware of the PIP until I came back  
 19 from maternity leave. I did not have a call with her  
 20 during that time, which was in May of 2017.  
 21 Q. So when was the last call you had with  
 22 Ms. Davis?  
 23 A. So that was in February, maybe a couple of days  
 24 after Exhibit 7. I can't remember the exact date, but  
 25 that's on the recording as far as the exact date.

Page 126

1 Q. So you recorded that phone call, as well?  
 2 A. Yes.  
 3 Q. Could that have been February 13, 2017?  
 4 A. No.  
 5 Q. Was it much later after that?  
 6 A. I'm not sure of the date.  
 7 Q. And what did you discuss in that call with  
 8 Ms. Davis?  
 9 A. She was talking about that she was going to put  
 10 a report together and that I would receive a copy of  
 11 that report.  
 12 Q. So after that call, did you have any other  
 13 communications with Ms. Davis?  
 14 A. No, ma'am.  
 15 Q. On what do you base your conclusion that  
 16 Ms. Davis was involved in the decision to place you on a  
 17 PIP?  
 18 A. Okay. Because allegations that she made in her  
 19 report.  
 20 Q. Exhibit 7?  
 21 A. Yes, Exhibit 7.  
 22 Q. Were you ever explicitly told that Ms. Davis  
 23 was involved in the decision to place you on a PIP?  
 24 A. No.  
 25 Q. So it's your contention that Ms. Davis in her

Page 127

1 role as a human resources employee retaliated against  
 2 you for coming to human resources and filing a  
 3 complaint?  
 4 A. Yes, ma'am.  
 5 Q. And she did so by placing you on a Performance  
 6 Improvement Plan?  
 7 A. Ms. Davis can't do that. She just did the  
 8 investigation. Her evidence, her investigation is what  
 9 helped to form the basis of me being put on a PIP,  
 10 Performance Improvement Plan.  
 11 Q. Okay. That's great clarification. So  
 12 Ms. Davis' role is she investigated the complaint, came  
 13 to the conclusion, put together Exhibit 7, and as a  
 14 result of that, you were then placed on a PIP?  
 15 A. Some of the information, yes, was used, I  
 16 believe, to put me on the PIP.  
 17 Q. You say that belief is your personal belief?  
 18 A. Uh-huh.  
 19 Q. Do you have any other belief --  
 20 A. Let me go through here. I mean, they put  
 21 evidence in here. So it says -- so they had information  
 22 on here that I remember seeing. This is the PIP?  
 23 Q. Yes.  
 24 A. Okay. So, yeah, I believe that, like I said,  
 25 because I filed the complaint with Safecall, also with

Page 128

1 Linda, that was all -- and, you know, her making these  
 2 comments in here, that was just information used to put  
 3 me on the PIP.  
 4 Q. Do you know who ultimately made the decision to  
 5 place you on a PIP?  
 6 A. No, I don't.  
 7 Q. Going back to Ms. Davis, other than her  
 8 investigation conclusions being used in your PIP, are  
 9 you asserting any other actions that she took in order  
 10 to retaliate against you?  
 11 A. No.  
 12 Q. Did you ever hear Ms. Davis make any comments  
 13 about your gender or your race?  
 14 A. No.  
 15 Q. Did Ms. Davis ever make any statements, any  
 16 negative statements about the fact that you filed a  
 17 hotline complaint?  
 18 A. Negative? Not that I can recall.  
 19 Q. Other than her investigation and the fact that  
 20 I know her investigation conclusions were used in the  
 21 PIP, is there any other knowledge that Ms. Davis may  
 22 have regarding your claims here today?  
 23 A. Not that I'm aware of.  
 24 Q. If you go back to -- you have it set out here,  
 25 Exhibit 5 where we're listing people who have knowledge,

32 (Pages 125 to 128)

HARRIET MARIE LANE - 11/20/2019

Page 129	Page 131
<p>1 we discussed Ms. Davis. It's on page 8.</p> <p>2 A. Yes.</p> <p>3 Q. So turn to the next page. We have got --</p> <p>4 Patrik Hols is the next person we have listed.</p> <p>5 A. Okay.</p> <p>6 Q. Who is Patrik Hols?</p> <p>7 A. He's the former director of finance.</p> <p>8 Q. And he's the German we discussed earlier?</p> <p>9 A. German? Yeah.</p> <p>10 Q. To your knowledge, is he currently employed by</p> <p>11 Siemens?</p> <p>12 A. I'm not aware.</p> <p>13 Q. When was the last time you talked to Mr. Hols?</p> <p>14 A. I mean, last time we had any interaction was</p> <p>15 when I was working at Siemens. That was back in 2017.</p> <p>16 Q. What was Mr. Hols's position?</p> <p>17 A. He was over the finance department.</p> <p>18 Q. So he was your supervisor?</p> <p>19 A. When?</p> <p>20 Q. Was Mr. Hols your supervisor?</p> <p>21 A. At one time he was but my interim supervisor</p> <p>22 after my supervisor Ayana Browne left.</p> <p>23 Q. In 2016?</p> <p>24 A. Yes.</p> <p>25 Q. Before Ms. King?</p>	<p>1 Q. As far as you know, did Mr. Hols have any</p> <p>2 personal knowledge or involvement in the decision to</p> <p>3 place you on a PIP?</p> <p>4 A. Yes. It looks like his name is on there, from</p> <p>5 Hols, Patrik Hols.</p> <p>6 Q. Other than his name being on there, do you have</p> <p>7 any knowledge that he was involved in placing you on a</p> <p>8 PIP?</p> <p>9 A. No.</p> <p>10 Q. Do you know whether or not Mr. Hols had any</p> <p>11 involvement with respect to your termination?</p> <p>12 A. No, I don't know that.</p> <p>13 So was it a layoff or a termination? It's</p> <p>14 the same?</p> <p>15 Q. I'm sorry? Was it a layoff or termination?</p> <p>16 A. Layoff.</p> <p>17 Q. It is your understanding your employment ended</p> <p>18 as a layoff?</p> <p>19 A. Right. Because I know you have been saying</p> <p>20 "termination," but I didn't know if that was the same or</p> <p>21 what.</p> <p>22 Q. I appreciate the word sometimes will be used --</p> <p>23 just similar terms we see a lot.</p> <p>24 As far as you know, did Mr. Hols witness</p> <p>25 any acts of discrimination or retaliation against you?</p>
Page 130	Page 132
<p>1 A. Yes.</p> <p>2 Q. Then afterwards was he still your supervisor,</p> <p>3 or what was his position once Ms. King came to be</p> <p>4 employed?</p> <p>5 A. He wasn't my supervisor.</p> <p>6 Q. How was your relationship with Mr. Hols?</p> <p>7 A. I believe it was -- we didn't have much</p> <p>8 interaction, but I think it was a good relationship.</p> <p>9 Q. Did Mr. Hols ever make any statements regarding</p> <p>10 your race or your gender?</p> <p>11 A. No.</p> <p>12 Q. Are you contending that Mr. Hols took any</p> <p>13 action to discriminate against you because of your</p> <p>14 gender?</p> <p>15 A. No.</p> <p>16 Q. Is it your contention that Mr. Hols took any</p> <p>17 action to discriminate against you because of your race?</p> <p>18 A. No.</p> <p>19 Q. Is it your contention that Mr. Hols took any</p> <p>20 actions in order to retaliate against you because of any</p> <p>21 complaints you made?</p> <p>22 A. No.</p> <p>23 Q. Are you forming any basis of your lawsuit here</p> <p>24 at all on any actions by Mr. Hols?</p> <p>25 A. No.</p>	<p>1 A. Not that I recall.</p> <p>2 Q. And I think I asked this, but I apologize. So</p> <p>3 you are not basing any claims here based on Mr. Hols's</p> <p>4 actions?</p> <p>5 A. No.</p> <p>6 Q. Is there any personal knowledge that you</p> <p>7 believe Mr. Hols may have that would be relevant to your</p> <p>8 claims?</p> <p>9 A. Personal knowledge? Not that I'm aware of.</p> <p>10 Q. Below Mr. Hols is Toni Horton.</p> <p>11 A. Okay.</p> <p>12 Q. Who is Toni Horton?</p> <p>13 A. She was HR at the time I was working there for</p> <p>14 Siemens.</p> <p>15 Q. And is Toni a male or female?</p> <p>16 A. She is a female.</p> <p>17 Q. Okay.</p> <p>18 A. And I don't know her race. I don't know if</p> <p>19 she's Caucasian or African-American. So race is</p> <p>20 unknown.</p> <p>21 Q. And you said she was your HR representative at</p> <p>22 Siemens?</p> <p>23 A. Yes.</p> <p>24 Q. Was she your HR representative for the entirety</p> <p>25 of your employment at Siemens?</p>

33 (Pages 129 to 132)

HARRIET MARIE LANE - 11/20/2019

Page 133

1 A. No.

2 Q. From what period was she your HR,  
3 approximately?

4 A. When I came back from FMLA and up until the  
5 time I left. When I came back in May, May of 2017 up  
6 until the time I left in October of 2017.

7 Q. How was your relationship with Ms. Horton?

8 A. It was okay.

9 Q. Did Ms. Horton ever make any comments regarding  
10 your gender or your race?

11 A. She's made comments about -- I know she's a  
12 minority. She did say that. She said, "We're both  
13 minorities" because I have made several complaints to,  
14 several complaints to her in the past. So...

15 Q. And let's go through, what complaints did you  
16 make to Ms. Horton?

17 A. I can't remember. Those are all emails. I  
18 can't remember. It was more about the same things that  
19 were continuing to happen as far as the way the -- Bill  
20 was treating me, that I was being targeted, that I was  
21 getting differential treatment, that it was retaliation,  
22 that there was discrimination because of my race and  
23 gender. So...

24 (Exhibit 13 was marked.)

25 Q. (BY MS. GRANT) I'm handing you what's been

Page 135

1 basis of your complaints to Ms. Horton at this time?

2 A. Just pretty much what it says there.

3 Q. And are you basing your allegations in this  
4 lawsuit about your complaints with Kim Long here?

5 A. This is just a summary of the continued  
6 harassment that I was undergoing. These are some of  
7 the -- these are some of the examples.

8 Q. So do you contend Ms. Long harassed you because  
9 of your race?

10 A. No. You asked me that earlier. No, I'm not  
11 saying that. I don't know why she was harassing me that  
12 day.

13 Q. But you don't believe it was because of your  
14 race or gender?

15 A. No, I wouldn't say that.

16 Q. With respect to Bill Piatt, here you state,  
17 "Several employees have noticed and one employee came to  
18 me stating, 'He is bullying you and setting you up for  
19 hostile work environment.'"

20 Who made that statement to you?

21 A. I can't recall.

22 Q. And with respect to here you also complain he's  
23 requiring you to do audits a certain way, what was this  
24 new way that Mr. Piatt was requiring you to do audits?

25 A. We talked about that a little bit earlier.

Page 134

1 marked as Exhibit 13. Exhibit 13 are notes at the top  
2 it says with HR Toni Horton and you.

3 Have you seen Exhibit 13 before?

4 A. I believe so, yes.

5 Q. And according to this, you had a meeting with  
6 Ms. Horton on July 21. Does that refresh your  
7 recollection with respect to any meetings or complaints  
8 you made with Ms. Horton?

9 A. Okay. Yes.

10 Q. And during this meeting what was -- does  
11 Exhibit 13 accurately reflect the complaints you made to  
12 Ms. Horton?

13 A. Okay. Let me read this.

14 Okay. I read that. Okay.

15 Q. Does Exhibit 13 reflect -- accurately reflect  
16 some complaints you made to Ms. Horton?

17 A. Yes, some of the complaints, yes.

18 Q. And according to this, you raised complaints  
19 about Kim Long, correct?

20 A. Yes.

21 Q. And Bill Piatt?

22 A. Yes.

23 Q. Donna Wilson?

24 A. Right.

25 Q. First, let's start with Kim Long. What was the

Page 136

1 Once I do the audit, he wants me -- he wants a survey  
2 done about my performance, customer satisfaction survey.

3 He also in the past he wanted me to  
4 use -- I have never used a checklist. He wanted me to  
5 start using a checklist and send the questions to the  
6 auditors in advance of the audit taking place. Just a  
7 whole revamp of the process that wasn't documented, and  
8 it was varying from the actual documented procedure for  
9 internal audit.

10 Q. So was that the basis of your complaints to  
11 Ms. Horton?

12 A. For this situation here?

13 Q. Yes.

14 A. That's what I was telling her that he was  
15 trying to bully me into doing things his way.

16 Q. And do you believe he was trying to bully you  
17 in order to discriminate against you because of your  
18 race?

19 A. Yes.

20 Q. And on what do you base that?

21 A. His actions because he wasn't doing this to  
22 anyone else. It was just me.

23 Q. Were there any other auditors at the time?

24 A. Yeah. We talked about Melissa Shovelski,  
25 Kimberly Long, Kathy DeGeorge. Those are all white

34 (Pages 133 to 136)

HARRIET MARIE LANE - 11/20/2019

Page 137

1 females.  
 2 Q. And do you have any personal knowledge that he  
 3 did not require this checklist and this customer  
 4 satisfaction survey?  
 5 A. Yes.  
 6 Q. Did he tell you that they weren't required to  
 7 do that?  
 8 A. No, they didn't tell me that. But they weren't  
 9 using it. I was.  
 10 Q. How do you know they weren't using it?  
 11 A. Because I would be a part of the audit process.  
 12 Sometimes I would be the team leader or -- not  
 13 sometimes. I was the lead auditor.  
 14 Q. And so these other employees were not lead  
 15 auditors?  
 16 A. No.  
 17 Q. And they were doing other duties in addition to  
 18 the auditing duties, correct?  
 19 A. Yes.  
 20 Q. Was there anyone else who was acting as lead  
 21 auditor at this time?  
 22 A. Not that I can recall at that location.  
 23 Remember, Siemens is a global company. So at that  
 24 location, not that I can recall at the moment.  
 25 Q. Were there any other lead auditors that

Page 139

1 Improvement Plan, did that have any effect on your pay?  
 2 A. No.  
 3 Q. Did it have any effect on your duties or  
 4 responsibilities?  
 5 A. Yeah. They took a lot of my responsibilities  
 6 away.  
 7 Q. As a result of being placed on the PIP?  
 8 A. I'm not sure if that was the reason.  
 9 Q. But you were just saying that you learned of  
 10 the two around the same time?  
 11 A. Yes.  
 12 Q. How long were you on a Performance Improvement  
 13 Plan?  
 14 A. From the time I came in in May. I want to say  
 15 I went off of that September, August. You might have  
 16 the document with you.  
 17 Q. I do. Good call.  
 18 Here's Exhibit 14. Exhibit 14, you  
 19 recognize this?  
 20 A. Yes. Let's see here.  
 21 Q. Wait. Let's take that back. I gave you the  
 22 wrong document. Here we go. This is Exhibit 14.  
 23 (Exhibit 14 was marked.)  
 24 Is this the document notifying you that  
 25 you were being placed -- taken off of a Performance

Page 138

1 reported to Mr. Piatt?  
 2 A. Not that I recall.  
 3 Q. And do you believe he made you do this new  
 4 process and do things his way in order to retaliate  
 5 against you?  
 6 A. Yes.  
 7 Q. Do you have any evidence that Mr. Piatt was  
 8 aware of your complaints to Linda Hubbard about him?  
 9 A. Remember that meeting that we had, because this  
 10 was after I came back in May. So he was aware of that  
 11 because of the meeting that we had.  
 12 Q. And he was -- was he aware of your filing a  
 13 complaint to Ms. Davis?  
 14 A. I believe so, yes.  
 15 Q. And why do you believe that he was aware of  
 16 that complaint?  
 17 A. Because in the Performance Improvement Plan it  
 18 talks about it there. So when we were having the  
 19 meeting, this was being shown during that meeting.  
 20 Q. And Mr. Piatt was at that meeting?  
 21 A. Yes.  
 22 Q. Who else was at that meeting?  
 23 A. So you had Patrik Hols, you had Donna Wilson,  
 24 you had Linda Hubbard, Mark Shipley.  
 25 Q. And being placed on that Performance

Page 140

1 Improvement Plan?  
 2 A. Yes.  
 3 Q. And you were taken off on September 12, 2017,  
 4 correct?  
 5 A. Yes.  
 6 Q. And who made the decision to take you off of  
 7 the Performance Improvement Plan?  
 8 A. I'm not sure. I know that Linda -- not Linda,  
 9 Toni Horton and Donna Wilson were in the meeting.  
 10 Q. And did they tell you why you were taken off  
 11 the Performance Improvement Plan?  
 12 A. This is what I received here. Exhibit 14 is  
 13 all the information in there. They didn't go into any  
 14 details that I can recall.  
 15 Q. Did you believe this was a justifiable, good  
 16 decision?  
 17 A. What did I say here? Did I make a comment?  
 18 MR. BAIL: Can I talk to my client one  
 19 second?  
 20 MS. GRANT: Can we wait until she answers  
 21 the question?  
 22 MR. BAIL: Sure. You can finish the whole  
 23 line of questioning. Whenever you have the opportunity.  
 24 Q. (BY MS. GRANT) Were you happy with being taken  
 25 off of the Performance Improvement Plan?

35 (Pages 137 to 140)

HARRIET MARIE LANE - 11/20/2019

Page 141

1 A. Was I okay with being taken off? I was okay  
 2 with it, yes.  
 3 Q. What negative effects did the Performance  
 4 Improvement Plan have on you? I don't mean physical or  
 5 emotional. I mean with respect to your employment.  
 6 Did it affect any terms or conditions of  
 7 your employment?  
 8 A. I don't know. Remember just a month later I  
 9 was laid off. So I don't know. But this did go in my  
 10 record.  
 11 Q. The Performance Improvement Plan and the fact  
 12 that you were removed off of it?  
 13 A. Yes. All that's in my employment history.  
 14 Q. But you are not aware of -- you have no  
 15 personal knowledge of any specific negative effects on  
 16 your terms or conditions of employment that the PIP had?  
 17 A. No.  
 18 MS. GRANT: We can take a quick break.  
 19 MR. BAIL: Just a couple minutes.  
 20 (A recess was taken.)  
 21 Q. (BY MS. GRANT) Ms. Lane, you understand you're  
 22 still under oath?  
 23 A. Yes.  
 24 Q. When we were last discussing, we were going  
 25 over your Performance Improvement Plan. And, also, we

Page 142

1 were talking about Ms. Toni Horton, correct?  
 2 A. Yes.  
 3 Q. Exhibit 13 was one example of notes of a  
 4 complaint you made to Ms. Toni Horton. Approximately  
 5 how many times did you make complaints to Ms. Horton?  
 6 A. This is a summary of some but I made more. Not  
 7 all of them were documented.  
 8 MR. BAIL: Approximately how many?  
 9 THE WITNESS: Let me see how many are here  
 10 so I can add to it. Maybe about five, six, something  
 11 like that.  
 12 Q. (BY MS. GRANT) And did you specifically  
 13 complain to Ms. Horton that you believed actions were  
 14 being taken against you because of your race?  
 15 A. Yes.  
 16 Q. And did you complain to her that you felt you  
 17 were being discriminated against because of your gender?  
 18 A. Yes.  
 19 Q. And did you complain to her that you felt you  
 20 were being harassed because of your race and gender?  
 21 A. Yes.  
 22 Q. And did you complain to Ms. Horton that you  
 23 believed you were being retaliated against?  
 24 A. Yes.  
 25 Q. And what did Ms. Horton do in response to your

Page 143

1 complaints?  
 2 A. Nothing. She said she was going to  
 3 investigate, follow up, things like that. She just took  
 4 my information, but there was never any investigations.  
 5 That I'm aware of.  
 6 Q. Other than Exhibit 13, were there other  
 7 instances of complaints you made to Ms. Horton?  
 8 A. Yes. We had conversations, yes. And you have  
 9 those recordings as well, all the conversations we had.  
 10 Q. And was Ms. Horton aware that you were  
 11 recording her?  
 12 A. No.  
 13 Q. Did these recordings of Ms. Horton take place  
 14 on the Siemens premises?  
 15 A. Yes.  
 16 Q. So your recordings would be an accurate  
 17 reflection of the complaints you made to Ms. Horton  
 18 during your employment?  
 19 A. Yes.  
 20 Q. Did you record all of your complaints with  
 21 Ms. Horton?  
 22 A. Any conversations with her, I believe I did.  
 23 Q. But as far as documented emails, those would be  
 24 the place for any written complaints you made?  
 25 A. Right.

Page 144

1 (Exhibit 15 was marked.)  
 2 Q. (BY MS. GRANT) I'm handing you  
 3 Exhibit 14 -- wait, we're on 15. Excuse me. Exhibit 15  
 4 are -- have you seen Exhibit 15 before?  
 5 A. Yes.  
 6 Q. When did you see Exhibit 15?  
 7 A. This was part of the evidence that you guys  
 8 presented.  
 9 Q. Did you review Exhibit 15 prior to -- or in  
 10 preparation for your deposition here today?  
 11 A. Yes.  
 12 Q. And did Exhibit 15 accurately -- Exhibit 15  
 13 reflects communications you had with Ms. Horton on  
 14 August 8, 2017, correct?  
 15 A. Okay. Let me look here. So what is this down  
 16 here? This is some retyping of the conversation?  
 17 Q. It appears here it was a retyping of her email,  
 18 an email that you had complained about from Ms. Wilson?  
 19 A. Since I can't see the whole email, since I  
 20 don't see the emails that I actually sent to her, then  
 21 it is hard for me to say if this is accurate or not.  
 22 Q. Okay. But do you recall making a complaint to  
 23 Ms. Horton on or around August 8?  
 24 A. Yes.  
 25 Q. And do you recall who you complained about or

36 (Pages 141 to 144)

HARRIET MARIE LANE - 11/20/2019

Page 145

1 the basis of your complaints on this occasion?  
 2 A. So I'm sure it was more about some of the  
 3 people like you saw some in there about Donna. You saw  
 4 some in there about Bill. So those people or  
 5 individuals.  
 6 Q. And so if I look here at Exhibit 15, the first  
 7 person, as you said, was Donna Wilson, correct?  
 8 A. Yes.  
 9 Q. And what were your complaints about Donna  
 10 Wilson?  
 11 A. So the name calling was from her.  
 12 Q. And what name calling?  
 13 A. She was calling me silly. You saw that on  
 14 Exhibit 13.  
 15 Q. And you contend that Ms. Wilson's comment to  
 16 you calling you silly -- do you contend that was because  
 17 of your race or your gender?  
 18 A. No, I don't think it has -- well, maybe my  
 19 race, yes.  
 20 Q. And on what do you base the calling you silly  
 21 was because of your race?  
 22 A. Why was she calling me silly? I mean, I don't  
 23 know that she called anyone else silly.  
 24 Q. How many times did she call you silly?  
 25 A. That I can recall, that one time.

Page 146

1 Q. In what context did Ms. Wilson call you silly?  
 2 A. We were in her office, we were talking and she  
 3 said -- she made the comment. I can't remember exactly  
 4 what we were talking about.  
 5 Q. And then she said you are being silly?  
 6 A. Uh-huh. It wasn't anything that we were joking  
 7 about or anything like that. And I know it had  
 8 something to do with -- yeah, we weren't joking. It  
 9 wasn't like we were having fun.  
 10 Q. Did Ms. Wilson call you any other names that  
 11 you took offense to?  
 12 A. No.  
 13 Q. And did you complain to Ms. Horton about  
 14 anything else that Ms. Wilson did?  
 15 A. Not that I can recall right now.  
 16 Q. You said you also complained about Bill Piatt,  
 17 which is in both 13 and 15, correct?  
 18 A. Yes.  
 19 Q. And what were your complaints to Ms. Horton  
 20 about Mr. Piatt?  
 21 A. Again, just the differential treatment, things  
 22 that he was doing, the singling me out.  
 23 Q. Is it the items that we have already discussed  
 24 here today?  
 25 A. Yes.

Page 147

1 Q. And did you tell Ms. Horton you believed these  
 2 were being done because of your race?  
 3 A. Yes.  
 4 Q. And did you complain that you believed  
 5 Mr. Piatt's actions were done because of your gender?  
 6 A. Yes.  
 7 Q. And did you complain to Ms. Horton that the  
 8 actions of Mr. Piatt that we have discussed already were  
 9 in retaliation against you?  
 10 A. Yes.  
 11 Q. Is there anyone else that you complained to  
 12 Ms. Horton about?  
 13 A. I talked about Linda.  
 14 Q. Linda Hubbard?  
 15 A. Uh-huh. I believe that's in one of the emails  
 16 there.  
 17 Q. And what complaints did you raise to Ms. Horton  
 18 regarding Ms. Hubbard?  
 19 A. Okay. Says here -- okay. I think it was more  
 20 about my -- that she was discriminating about me being  
 21 on FMLA after I came back from FMLA.  
 22 Q. And on what basis do you believe Ms. Hubbard  
 23 was retaliating against you, meaning how was she  
 24 retaliating against you?  
 25 A. She was retaliating against me because when I

Page 148

1 had -- just giving me inaccurate information in regards  
 2 to -- just trying to be confrontational and  
 3 argumentative and trying to provoke me.  
 4 Q. And how was she being argumentative and  
 5 confrontational and trying to provoke you?  
 6 A. When I would ask her questions about the  
 7 difference between what I had received from corporate HR  
 8 in regards to my time or balance for FMLA and then what  
 9 she was telling me, there was a variation there. So I  
 10 was trying to get clarification on it and things of that  
 11 nature. So she was just trying to provoke me,  
 12 especially because it was a sensitive subject and a  
 13 sensitive -- yeah.  
 14 Q. And you believe that she was acting  
 15 confrontational and trying to provoke you in retaliation  
 16 for taking FMLA leave before?  
 17 A. Or retaliation for filing these complaints.  
 18 Q. Okay.  
 19 A. Remember, the retaliation is the basis of the  
 20 Safecall, the calls that I made to her, and then all  
 21 other claims that I have made.  
 22 Q. Are you raising any complaints or allegations  
 23 that you were retaliated against for taking your FMLA  
 24 leave?  
 25 A. Yes.

37 (Pages 145 to 148)



HARRIET MARIE LANE - 11/20/2019

<p style="text-align: right;">Page 149</p> <p>1 Q. And do you believe Ms. Hubbard took any actions</p> <p>2 to retaliate against you because of FMLA?</p> <p>3 A. So FMLA, I believe so. She was part of the</p> <p>4 PIP, too, decision.</p> <p>5 Q. And so you had said you complained to</p> <p>6 Ms. Horton about Ms. Hubbard and her retaliation for</p> <p>7 FMLA leave.</p> <p>8 A. Uh-huh.</p> <p>9 Q. So what did you believe Ms. Hubbard was doing</p> <p>10 in retaliation for you taking FMLA?</p> <p>11 A. So the variation -- so when corporate told</p> <p>12 me something about -- gave me my balance for the days</p> <p>13 that I had, it was different from what Ms. Hubbard had</p> <p>14 stated.</p> <p>15 Q. And so you believe she was giving you incorrect</p> <p>16 information as a way to retaliate against you for taking</p> <p>17 FMLA leave?</p> <p>18 A. For FMLA and for the complaints as well.</p> <p>19 Q. We have discussed the retaliation complaints.</p> <p>20 I guess do you contend that you were placed on the PIP</p> <p>21 in retaliation for raising the complaints?</p> <p>22 A. Yes.</p> <p>23 Q. And we've discussed that already.</p> <p>24 Do you believe you were placed on the PIP</p> <p>25 in retaliation for taking the FMLA leave?</p>	<p style="text-align: right;">Page 151</p> <p>1 Q. Thank you.</p> <p>2 And you complained about that retaliation</p> <p>3 to Ms. Horton?</p> <p>4 A. Yes.</p> <p>5 Q. And you also complained to Ms. Horton that</p> <p>6 Ms. Hubbard was retaliating against you for FMLA leave</p> <p>7 by giving you inaccurate information?</p> <p>8 A. I didn't say giving me inaccurate information.</p> <p>9 Just the treatment overall.</p> <p>10 Q. The confrontational --</p> <p>11 A. Yes.</p> <p>12 Q. And on what do you base your conclusion that</p> <p>13 Ms. Hubbard was acting confrontational towards you in</p> <p>14 order to retaliate against you for taking FMLA?</p> <p>15 A. What evidence? I mean, just the communication.</p> <p>16 We had a conversation.</p> <p>17 Q. Because it was about FMLA leave?</p> <p>18 A. Yes.</p> <p>19 Q. Other than the fact that that was the subject</p> <p>20 matter of your conversation and your personal belief, do</p> <p>21 you have any other evidence that she was confrontational</p> <p>22 to you because you had taken FMLA leave before?</p> <p>23 A. No, not that I recall.</p> <p>24 Q. And you had taken FMLA leave from February to</p> <p>25 May 2017, correct?</p>
<p style="text-align: right;">Page 150</p> <p>1 A. I believe so, too.</p> <p>2 Q. On what do you form that -- what evidence do</p> <p>3 you have to support your conclusion that you were</p> <p>4 retaliated against for your FMLA leave?</p> <p>5 A. Okay. So if we look at some of the claims here</p> <p>6 in this report, we're talking about Exhibit 12, the PIP,</p> <p>7 or Performance Improvement Plan. None of this</p> <p>8 information was communicated to me until after I came</p> <p>9 back from FMLA. So I never knew about a PIP, was never</p> <p>10 put on a PIP, was never reprimanded or anything until</p> <p>11 after I came back. So Linda's name is on here. Donna</p> <p>12 Wilson's name is on here. So that tells me that Linda</p> <p>13 had something to do with this. And then it also</p> <p>14 mentions even on the PIP about Safecall and the</p> <p>15 conversations with Patti.</p> <p>16 Q. And so -- but we're talking about your FMLA</p> <p>17 leave, not the Safecall.</p> <p>18 So other than the fact that you received</p> <p>19 the PIP after you came back from FMLA leave, what other</p> <p>20 evidence do you have that you were placed on the PIP in</p> <p>21 retaliation for the Safecall --</p> <p>22 A. My personal belief --</p> <p>23 Q. -- the FMLA?</p> <p>24 A. -- and then me getting the PIP after I came</p> <p>25 back from maternity -- from medical leave.</p>	<p style="text-align: right;">Page 152</p> <p>1 A. Yes.</p> <p>2 Q. But you had mentioned you requested it later?</p> <p>3 A. I was getting information about it later, yes.</p> <p>4 Q. Are you contending you were retaliated against</p> <p>5 for actually taking it February to May or requesting</p> <p>6 more information later?</p> <p>7 A. That I had taken it.</p> <p>8 Q. Okay. I just wanted to make clear because you</p> <p>9 have got two FMLA situations.</p> <p>10 What was Ms. Horton's response to your</p> <p>11 complaints regarding Ms. Hubbard?</p> <p>12 A. That she's going to investigate. That's what</p> <p>13 she would always tell me.</p> <p>14 Q. And do you contend that she never investigated</p> <p>15 your claims?</p> <p>16 A. I never received a report. I never received</p> <p>17 any type of report.</p> <p>18 Q. Do you have any personal knowledge about any</p> <p>19 conclusions Ms. Horton came to regarding your</p> <p>20 allegations?</p> <p>21 A. No.</p> <p>22 Q. And if Ms. Horton concluded that your</p> <p>23 complaints couldn't be substantiated, were you aware</p> <p>24 that she ever reached that conclusion?</p> <p>25 A. No.</p>

38 (Pages 149 to 152)

HARRIET MARIE LANE - 11/20/2019

Page 153

1 Q. Did Ms. Horton ever relay to you that your  
 2 complaints or beliefs were substantiated?  
 3 A. No, not that I recall.  
 4 (Exhibit 16 was marked.)  
 5 Q. (BY MS. GRANT) I'm handing you what's been  
 6 marked as Exhibit 16. Do you recognize Exhibit 16?  
 7 A. The information. Is this information from an  
 8 email?  
 9 Q. These are Toni Horton's notes regarding a  
 10 meeting.  
 11 A. Okay. So this is the evidence that you-all  
 12 provided.  
 13 Q. And do you recall meeting with Toni Horton on  
 14 August 15, 2017?  
 15 A. Yes, that sounds about right.  
 16 Q. And here it states you were providing  
 17 additional complaints to her?  
 18 A. Okay.  
 19 Q. Is that correct?  
 20 A. Uh-huh. Yes.  
 21 Q. And in here you state that you felt you were  
 22 being discriminated against on the basis of your  
 23 ethnicity?  
 24 A. Yes.  
 25 Q. You made a comment about the client surveys

Page 154

1 that we have discussed before?  
 2 A. Yes. The customer satisfaction. But in here  
 3 it says "client" but it's the same.  
 4 Q. In here you also raise a complaint about your  
 5 badge being canceled?  
 6 A. Yes.  
 7 Q. And do you recall making that complaint to  
 8 Ms. Horton?  
 9 A. Yes.  
 10 Q. Is that the email issue we discussed earlier,  
 11 or is that a separate one?  
 12 A. Okay. So this is talking about when the  
 13 receptionist told me Bill asked her to deactivate my  
 14 badge when I was on -- and that I was not coming back,  
 15 but I was on FMLA.  
 16 Q. To your knowledge, was your badge canceled?  
 17 A. Yes.  
 18 Q. And how do you know your badge was canceled?  
 19 A. So I couldn't use it when I came back from  
 20 FMLA.  
 21 Q. Was that issue ultimately fixed and was your  
 22 badge allowed to be used?  
 23 A. Yes. So they had to reactivate the badge.  
 24 Q. How long did that take?  
 25 A. I'm not sure. Maybe the same day, something

Page 155

1 like that. I'm not sure.  
 2 Q. And it says this is not typical for someone on  
 3 leave?  
 4 A. Yes.  
 5 Q. Do you contend your badge was canceled in order  
 6 to discriminate against you because of your race or your  
 7 sex?  
 8 A. Right, and the retaliation, yes.  
 9 Q. Do you contend this was retaliation for your  
 10 complaints about Mr. Piatt?  
 11 A. Right.  
 12 Q. And do you contend your badge was canceled in  
 13 order to retaliate against you because of your complaint  
 14 to Ms. Davis, the hotline complaint?  
 15 A. Yes.  
 16 Q. And do you contend that your badge was canceled  
 17 to retaliate against you for taking leave?  
 18 A. Yes.  
 19 Q. What evidence do you have that your badge was  
 20 canceled because of your race or your gender?  
 21 A. It didn't happen until I came back from leave.  
 22 Prior to then, it wasn't -- it was working fine.  
 23 Q. Any other evidence that you support -- that you  
 24 contend supports your contention your badge was canceled  
 25 to discriminate against you because of your gender or

Page 156

1 race?  
 2 A. No.  
 3 Q. What evidence do you have that your badge was  
 4 canceled in retaliation for your complaints to Ms. Davis  
 5 and Ms. Hubbard?  
 6 A. So it didn't happen until after the return of  
 7 the FMLA.  
 8 Q. Any other evidence?  
 9 A. No.  
 10 Q. And any -- other than the fact your badge was  
 11 canceled when you returned from FMLA, do you have any  
 12 other evidence that your badge was canceled to retaliate  
 13 against you for taking FMLA leave?  
 14 A. No.  
 15 Q. If you look at the next bullet point,  
 16 your complaint -- or backing up, do you know who made  
 17 the decision to cancel your badge?  
 18 A. No. Well, I do. The receptionist told me it  
 19 was Bill Piatt that said cancel my badge.  
 20 Q. Based on what the receptionist told you, you  
 21 believe it was Mr. Piatt?  
 22 A. Yes.  
 23 Q. The next bullet point, it says the  
 24 investigation into your claim had already been conducted  
 25 by the time Kimberly Long was interviewed by Linda

39 (Pages 153 to 156)

HARRIET MARIE LANE - 11/20/2019

Page 157

1 Hubbard.

2 Do you recall in what context that  
3 statement was referencing?

4 A. Okay. I believe this was going back -- "Stated  
5 the investigation into her" -- I can't read her mind, so  
6 I'm not going guess. I don't know what she was talking  
7 about.

8 Q. And I didn't either so I wanted to see if you  
9 had any knowledge.

10 The next bullet point is you think the  
11 company's manufacturing emails to make them look as if  
12 they were coming from you. How many instances did this  
13 happen?

14 A. I can't remember exactly, exactly how many  
15 instances but it happened.

16 Q. In what instance do you recall when or any  
17 specific times that this happened?

18 A. So it was after I came back from FMLA, as far  
19 as -- so sometime around that time frame. I can't  
20 remember.

21 Q. And what was the email that was sent out  
22 claiming to have come from you?

23 A. Whatever was sent here to Ravi. This I can't  
24 remember.

25 Q. And so you're saying there was an email sent to

Page 159

1 A. Yes. That's what Linda told me. It was Bill  
2 and it was Donna.

3 Q. When did she tell you it was Bill and Donna?

4 A. When I came back from FMLA in May of 2016.

5 Q. 2017?

6 A. 2017.

7 Q. Did -- what did Linda tell you with respect to  
8 the reasons for why your duties were being taken away?

9 A. She didn't give me a reason.

10 Q. And on what basis do you believe Donna and Bill  
11 took away your duties because of your gender or race?

12 A. Okay. On basis I don't have. It's personal  
13 belief.

14 Q. And what evidence do you have that they -- or I  
15 guess backing up, do you contend that your duties were  
16 taken away in retaliation for your complaints to  
17 Ms. Hubbard and the hotline complaints?

18 A. Yes.

19 Q. And I believe I have already asked you this,  
20 but that's based on your personal belief?

21 A. Right, and the fact that prior to my FMLA, I  
22 had -- if you have the senior business process  
23 specialist job description, I was responsible for all  
24 those duties prior to me going on FMLA. But when I came  
25 back, everything was taken away.

Page 158

1 Ravi, but you had sent that email to someone else?

2 A. Yes.

3 Q. So the mistake was it going to Ravi?

4 A. I can't remember.

5 Q. Okay. And you believe that there was some sort  
6 of scheme between Bill and IT to send out these emails?

7 A. Right.

8 Q. Did this email result in any sort of  
9 disciplinary action or other effect on your employment?

10 A. I can't remember at the time.

11 Q. And why did you believe there was some sort of  
12 scheme between IT and Bill Piatt to send out these fake  
13 or incorrect emails?

14 A. Probably because basically what it's saying.  
15 It wasn't coming from me. Looked it was coming from  
16 somewhere else. I can't remember on this.

17 Q. Are you -- this email example, is this forming  
18 the basis of any claims in this lawsuit?

19 A. No.

20 Q. The next bullet point it talks about taking  
21 away your duties. Is that what we have discussed  
22 already?

23 A. Yes.

24 Q. And do you have any knowledge about who made  
25 the decision to take away your duties?

Page 160

1 Q. And you believe those were taken away in  
2 retaliation for the complaints to Ms. Hubbard, the  
3 complaints to Ms. Davis and the hotline and taking FMLA  
4 leave?

5 A. Yes.

6 Q. Other than Exhibits 13, 15 and 16, did you  
7 raise any other complaints with Ms. Horton regarding any  
8 alleged harassment or discrimination?

9 A. No, other than the recordings that I previously  
10 stated that you guys have copies of.

11 Q. Do you recall approximately how many recordings  
12 you have of Ms. Horton?

13 A. Oh, okay. Yeah, that's quite a few. I mean,  
14 probably more than five.

15 Q. Okay. And those recordings would be the most  
16 accurate reflection of your complaints that you made to  
17 Ms. Horton during your employment?

18 A. Yes, conversations and such.

19 Q. Are you contending that Ms. Horton took any  
20 actions in order to discriminate against you because of  
21 your race?

22 A. Ms. Horton, no. She was involved in the -- no,  
23 I wouldn't say her.

24 Q. And do you contend that Ms. Horton took any  
25 actions to discriminate against you because of your

40 (Pages 157 to 160)

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HARRIET MARIE LANE - 11/20/2019

Page 161

1 gender?  
 2 A. No.  
 3 Q. Is it your contention that Ms. Horton took any  
 4 actions to retaliate against you because of your  
 5 complaints to Ms. Hubbard or the hotline?  
 6 A. No.  
 7 Q. And do you contend that Ms. Horton took any  
 8 actions to retaliate against you for taking FMLA leave?  
 9 A. No.  
 10 Q. Are you basing any of your lawsuit claims here  
 11 today on Ms. Horton's actions?  
 12 A. No.  
 13 Q. To your knowledge, did Ms. Horton have any role  
 14 or involvement in the decision to place you on a PIP?  
 15 A. No. That was prior to her, no.  
 16 Q. And to your knowledge, did Ms. Horton have any  
 17 involvement in the decision to lay you off?  
 18 A. I don't know. I mean, she's just HR. No, I  
 19 don't think that was part of her decision, no.  
 20 Q. If there was evidence that Ms. Horton was  
 21 involved in that decision, would you have any  
 22 reason -- evidence to refute that?  
 23 A. No.  
 24 Q. The next person on Exhibit 5, if we turn the  
 25 page from Toni Horton -- strike that.

Page 163

1 A. Yes.  
 2 Q. And it's those complaints that form the basis  
 3 of your retaliation claim?  
 4 A. Yes.  
 5 Q. And what complaints did you raise to  
 6 Ms. Hubbard?  
 7 A. So those are in the emails from July. I told  
 8 her how I was being harassed by Bill, Melissa. So I had  
 9 those conversations with her and also sent emails to  
 10 her.  
 11 (Exhibit 17 was marked.)  
 12 Q. (BY MS. GRANT) I'm handing you what's been  
 13 marked as Exhibit 17. Exhibit 17 is an email from you  
 14 to Linda Hubbard dated July 25, 2016.  
 15 Is this the complaint you referenced that  
 16 you made to Ms. Hubbard forming the basis of your  
 17 retaliation complaint?  
 18 A. This is one of them, yes.  
 19 Q. Approximately how many emails did you send to  
 20 Ms. Hubbard, or how many complaints did you make to  
 21 Ms. Hubbard?  
 22 A. So there were verbal complaints that I made to  
 23 her. There were documented complaints. I mean, I  
 24 complained to her several times.  
 25 Q. And this -- the complaints in Exhibit 17 are

Page 162

1 Real quick, is there any other relevant  
 2 knowledge Ms. Horton may have about your claims here  
 3 today?  
 4 A. That I'm aware of, no.  
 5 Q. Turning to the next page, this is Linda  
 6 Hubbard. We have talked about her a bit, but now we'll  
 7 go more specific.  
 8 Who is Linda Hubbard?  
 9 A. She was the HR manager at the time I was there  
 10 at Siemens.  
 11 Q. And what is Ms. Hubbard's race?  
 12 A. She's an African-American female.  
 13 Q. And she was in human resources, correct?  
 14 A. Yes.  
 15 Q. And from what period of time was she in human  
 16 resources?  
 17 A. She hired me on. That was November of 2014.  
 18 And then she was there just shortly after when I came  
 19 back in May of 2017. And then I don't know -- but she  
 20 wasn't there when I left in October of 2017. She was  
 21 still with Siemens but not that location.  
 22 Q. How was your relationship with Ms. Hubbard?  
 23 A. It was okay.  
 24 Q. And we have discussed -- you had discussed  
 25 earlier you raised some complaints to Linda Hubbard?

Page 164

1 concerning Bill Piatt?  
 2 A. Right.  
 3 Q. Is it Piatt or Piatt?  
 4 A. Piatt.  
 5 Q. And so you're complaining here about  
 6 Mr. Piatt's questioning and comments to you regarding  
 7 when you were working remotely or coming to your desk,  
 8 correct?  
 9 A. Yes.  
 10 Q. And is it your contention that he was doing the  
 11 actions documented here in Exhibit 17 because you were  
 12 female?  
 13 A. Right.  
 14 Q. And because of your race?  
 15 A. Yes.  
 16 Q. And on what do you base your conclusion that  
 17 Mr. Piatt was undertaking each of the comments here  
 18 because of your race or your gender?  
 19 A. Personal belief. And then also comments from  
 20 other people saying -- yeah, like I told you, the  
 21 recordings from Melissa. This was prior to that. But  
 22 it was obvious that he had some issues with women, and  
 23 if you are black, more so.  
 24 Q. Did he undertake any of these other actions,  
 25 you know, here it says make a comment questioning why

41 (Pages 161 to 164)

HARRIET MARIE LANE - 11/20/2019

Page 165

1 you are in the office, asking if you have permission to  
 2 work from home remotely. Are you aware of any other  
 3 times where he did this to any other female employee?  
 4 A. No.  
 5 Q. Are you aware of him doing such inquiries or  
 6 making such comments to other employees at all?  
 7 A. No.  
 8 Q. And what was Ms. Hubbard's response to  
 9 Exhibit 17?  
 10 A. She did no response.  
 11 Q. Did Mr. Piatt's behavior ever cease or get  
 12 better?  
 13 A. No.  
 14 Q. Did it get worse?  
 15 A. It remained pretty much -- like I said, it got  
 16 worse when I came back from leave, because remember, it  
 17 started picking up. He wanted me to do the client  
 18 surveys. He became my supervisor. The same man that I  
 19 complained about became my supervisor.  
 20 Q. When you came back from leave, I thought it was  
 21 Ms. Wilson that was your supervisor.  
 22 A. Both of them.  
 23 Q. You had two supervisors?  
 24 A. Yes.  
 25 Q. If Siemens said only Ms. Wilson was your

Page 167

1 you to Linda regarding Mr. Piatt.  
 2 A. Right.  
 3 Q. And was this another complaint that you were  
 4 sending her regarding his actions towards you?  
 5 A. Yes.  
 6 Q. And here it looks like he was inquiring as to  
 7 whether you had gotten permission from your supervisor  
 8 to work remotely that day.  
 9 A. Right.  
 10 Q. And you believe that he asked you that because  
 11 of your race and gender?  
 12 A. Right.  
 13 Q. And are you aware whether or not he would ask  
 14 other employees working remotely if they had permission?  
 15 A. No.  
 16 Q. Would you have any personal knowledge that he  
 17 never did to anybody else?  
 18 A. I wouldn't know that.  
 19 Q. Did you receive any disciplinary action because  
 20 of Mr. Piatt's emails, whether it be in Exhibit 17 or  
 21 18?  
 22 A. I don't know. I don't know if this, you know,  
 23 was me -- do I have any evidence?  
 24 Q. Yes.  
 25 A. No.

Page 166

1 supervisor, what evidence do you have to refute that?  
 2 A. What they told me. So he was my supervisor.  
 3 Donna Wilson was finance. Bill Piatt was more for the  
 4 auditing and things of that nature. So I had to report  
 5 to him on that basis. That's in the recording where it  
 6 talks about how I would report to Linda and then how I  
 7 would report to Bill. So there were several emails any  
 8 time we had performance reviews it was both of them. So  
 9 yes, he was my supervisor, also.  
 10 Q. You said he had a role in your performance  
 11 reviews?  
 12 A. Yes.  
 13 Q. Do you know if he had the ability to hire or  
 14 fire you?  
 15 A. Yes.  
 16 Q. Did he have the ability to make decisions with  
 17 respect to your pay?  
 18 A. Yes.  
 19 (Exhibit 18 was marked.)  
 20 Q. (BY MS. GRANT) I'm handing you what's been  
 21 marked as Exhibit 18.  
 22 A. Thank you.  
 23 Q. Do you recognize Exhibit 18?  
 24 A. Yes.  
 25 Q. And Exhibit 18 appears to be another email from

Page 168

1 Q. Do you believe Mr. Piatt was involved in the  
 2 decision to place you on a PIP?  
 3 A. He was in that room when I had that  
 4 conversation. Yes, he was in the meeting.  
 5 Q. Other than being in the meeting, do you have  
 6 any evidence that he was involved in the actual decision  
 7 to place you on that PIP?  
 8 A. No, I don't know that.  
 9 Q. Do you have any evidence that Mr. Piatt was  
 10 involved in the decision to lay you off?  
 11 A. Remember, I was doing the internal auditing,  
 12 and so remember for Donna she was more finance. And so  
 13 internal auditing, that was under him. So I believe he  
 14 did have a hand in the decision to lay me off.  
 15 Q. Other than Exhibits 17 and 18, you said you  
 16 also had verbal discussions with Hubbard about  
 17 Mr. Piatt?  
 18 A. Yes.  
 19 Q. Did you complain to Ms. Hubbard about anyone  
 20 else other than Mr. Piatt?  
 21 A. We talked about Ms. Melissa King.  
 22 Q. And what complaints did you raise about Melissa  
 23 King to Ms. Hubbard?  
 24 A. I can't remember all of them, but they're  
 25 documented. I was talking to her about her asking me

42 (Pages 165 to 168)

HARRIET MARIE LANE - 11/20/2019

Page 169	Page 171
<p>1 questions about me, what time I'm coming in, what time 2 I'm leaving, you know, things of that nature. 3 Q. Is it the discussion we had about items we 4 discussed with Ms. King earlier? 5 A. Yes. 6 Q. The excessive monitoring? 7 A. Yes. 8 Q. So what actions, if any, did Ms. Hubbard take 9 with respect to Ms. King? 10 A. She never did any -- no, none. 11 Q. And did you raise any complaints about anyone 12 else besides Ms. King and Mr. Piatt to Ms. Hubbard? 13 A. No. 14 Q. And if I recall, you are also saying 15 Ms. Hubbard did take actions to retaliate against you 16 because of your FMLA leave. 17 A. I believe so, yes. 18 Q. And we have discussed the confrontational 19 attitude earlier? 20 A. Yes. 21 Q. Are you basing any of your claims here today on 22 Ms. Hubbard's actions? 23 A. No. 24 Q. With respect to you said the inaccurate 25 information Ms. Hubbard gave you, that was regarding the</p>	<p>1 Q. Did Ms. Hubbard ever make any comments to you 2 about your gender? 3 A. No. 4 Q. Did you ever hear any Siemens employee make any 5 comments to you about your race? 6 A. About my race? 7 Q. Yes. 8 A. No. I mean, no. About me being 9 African-American? 10 Q. Correct. 11 A. Well, the one from Kathy DeGeorge when she was 12 saying that the differential treatment that he shows 13 towards minorities, yes. 14 Q. Other than her observation that she believed 15 Mr. Piatt treated minorities different, did you hear any 16 other Siemens employee during your employment make any 17 comments about your race? 18 A. No. 19 Q. Did any Siemens employee -- again, other than 20 observations of Mr. Piatt maybe treating you differently 21 because you're a woman, did you have any comments 22 directed to you about your gender? 23 A. No. 24 Q. Did Ms. Hubbard ever make any negative comments 25 to you about the fact that you came and complained to</p>
Page 170	Page 172
<p>1 amount of hours of FMLA leave you had? 2 A. Right. 3 Q. Did you believe that she did that 4 intentionally? 5 A. I believe so. I don't know for sure. I mean, 6 I don't know. I can't remember what I was thinking at 7 the time then. 8 Q. When was the last time you talked with 9 Ms. Hubbard? 10 A. When I was -- way before she left because I 11 left -- I was laid off in October 2017. And she left 12 prior to then. So maybe around the time that she was 13 there, that's the last time we had any type of 14 interaction. 15 Q. How would you describe your relationship with 16 Ms. Hubbard? Did you have a positive relationship with 17 her? 18 A. Well, initially, and then when I would -- she 19 wasn't taking any actions to some of the complaints that 20 I was making. And that's when I had to -- so, you know, 21 I wouldn't really so -- so, no. Initially positive but 22 then towards the end negative. 23 Q. Did you hear -- did Ms. Hubbard ever make any 24 comments to you regarding your race? 25 A. No.</p>	<p>1 her? 2 A. No. 3 Q. Did Ms. -- 4 A. Well, let's go back. She did tell me a story, 5 and I believe that's -- I can't remember if I have a 6 recording on that. Basically, what she was saying in 7 that conversation was, you know, suck it up. Deal with 8 it. 9 Q. And you have this on a recording? 10 A. I can't remember. 11 Q. Did you record all of your conversations or 12 complaints to Ms. Hubbard? 13 A. No. 14 Q. Did Ms. Hubbard know you were recording her? 15 A. No. 16 Q. Did any of the individuals on your recording 17 know at the time that you were recording them? 18 A. No, not to my knowledge. 19 Q. And for your conversations with Ms. Hubbard 20 that you recorded, did you -- did those take place on 21 Siemens' property? 22 A. Yes. 23 Q. Were all your recordings face-to-face meetings? 24 A. Yes. Like we would go in the conference room. 25 So yes, they were face-to-face.</p>

43 (Pages 169 to 172)



HARRIET MARIE LANE - 11/20/2019

Page 173

1 Q. Did you record any telephone calls?  
 2 A. No.  
 3 Q. Did Ms. Hubbard make any negative comments to  
 4 you about the fact that you took FMLA leave?  
 5 A. No.  
 6 Q. Did she make any negative comments to you about  
 7 your need to take FMLA leave?  
 8 A. No.  
 9 Q. Did she make any comments to you about the fact  
 10 that you requested later after you returned about your  
 11 subsequent request for FMLA leave?  
 12 A. No.  
 13 Q. Did anybody at Siemens make any negative  
 14 comments to you about taking FMLA leave?  
 15 A. Not that I recall.  
 16 Q. Did any Siemens employee make any negative  
 17 comments to you about your second request for FMLA  
 18 leave?  
 19 A. Let's go back. Let's go back. In the  
 20 recording from Kimberly, remember, that's FMLA. And she  
 21 said that Linda told her the reason why I was out on  
 22 FMLA was personal-related issues. It didn't have  
 23 anything to do with Siemens. So this is what Kimberly  
 24 told me that Linda said, and that's in the recording.  
 25 Q. So you contend that is a negative statement

Page 174

1 about your FMLA leave?  
 2 A. Right. I mean, it's a negative conversation  
 3 because my personal information should not be discussed  
 4 with anyone else.  
 5 Q. Other than the fact that she said you were  
 6 taking FMLA for a personal reason, did she disclose any  
 7 other information about your FMLA leave, Ms. Hubbard?  
 8 A. Not that I know of. Like I said, you have to  
 9 refer to that recording.  
 10 Q. And your contention that that statement was  
 11 inaccurate is -- what part of that would be inaccurate?  
 12 A. Saying that it didn't have anything to do with  
 13 Siemens.  
 14 Q. Do you know if you submitted any paperwork that  
 15 specifically said you needed FMLA leave because of  
 16 Siemens' actions?  
 17 A. It is not going to say because of Siemens'  
 18 actions. It's going to state the medical condition.  
 19 Q. And did you ever have any diagnosis that said  
 20 you suffered from that specific medical condition  
 21 because of Siemens?  
 22 A. Because of Siemens, no. Well, work-related.  
 23 It may have that information in there. I don't have it  
 24 in front of me. You might have to bring it up.  
 25 Q. And what doctor was the one that completed your

Page 175

1 FMLA paperwork?  
 2 A. I don't know who does that. I mean, that's  
 3 sent over.  
 4 Q. What doctor were you visiting for this  
 5 condition?  
 6 A. So I had my primary care doctor, Dr. Talati,  
 7 and then I also have my therapist that I was seeing at  
 8 the time. The psychiatrist came later.  
 9 Q. And who is your therapist?  
 10 A. Sharon Alexander.  
 11 Q. With respect to -- what was the actual medical  
 12 condition for your FMLA leave?  
 13 A. It was stress, but I don't know the medical  
 14 term.  
 15 Q. Okay. To your knowledge, was Ms. Hubbard  
 16 involved in the decision to place you on your PIP?  
 17 A. I just know that her name was signed on here.  
 18 Q. And other than her name being on there, do you  
 19 have any knowledge of her involvement in that -- in  
 20 placing on you a PIP?  
 21 A. No.  
 22 Q. To your knowledge, was Ms. Hubbard involved in  
 23 the decision to terminate your employment -- excuse me;  
 24 layoff, to lay you off?  
 25 A. No, she was gone by that -- I don't know. I

Page 176

1 don't know for sure. She wasn't there, that part of the  
 2 meeting. That was only Toni Horton and Donna Wilson and  
 3 myself. No, I don't think she had a part to play in  
 4 that.  
 5 Q. Other than what we discussed here, would  
 6 Ms. Hubbard have any other relevant knowledge regarding  
 7 your claims here today?  
 8 A. None that I'm aware of.  
 9 Q. If we go back to Exhibit 5, after Ms. Hubbard  
 10 is Melissa King.  
 11 A. Okay.  
 12 Q. And that is your former supervisor that we have  
 13 been discussing here today, correct?  
 14 A. Yes.  
 15 Q. And what is Ms. King's race?  
 16 A. She's a Caucasian female.  
 17 Q. And Ms. Hubbard -- Ms. King became your  
 18 supervisor around October 2016?  
 19 A. Yes.  
 20 Q. And when you returned from leave on May 2017,  
 21 she was no longer your supervisor?  
 22 A. No.  
 23 Q. Are you contending that Ms. King discriminated  
 24 against you because of your race?  
 25 A. I believe -- this is what I believe. Like I

44 (Pages 173 to 176)

HARRIET MARIE LANE - 11/20/2019

Page 177

1 said earlier, that she was being coached, a lot of them  
2 was being influenced by Bill Piatt.

3 Q. And on what do you base your belief that she  
4 was being coached or influenced by Bill Piatt?

5 A. My observations, things that other people said.  
6 Melissa and I, you know, prior to me working with her, I  
7 had been working with her for years. And then some of  
8 the treatment did not take place until after I started  
9 working for her.

10 And then Bill would be in her office. And  
11 like I said earlier, when he would go in her office,  
12 then I would start getting emails from her. So that  
13 would lead me to believe that he was coaching her on how  
14 to treat me.

15 Q. And when you say the emails, it was the email  
16 asking you what time you would be coming into work?

17 A. That, anything about work-related issues or  
18 work about audits or, you know, training, things of that  
19 nature.

20 Q. The excessive monitoring that we discussed  
21 earlier?

22 A. That's just one of them. So that's one. We  
23 also had emails -- like when he would go into her office  
24 and come out, then I would get emails about, you know,  
25 What's going with this project or What's going with that

Page 179

1 Q. I know you believed Bill influenced her, but  
2 what did she -- do you specifically contend she did  
3 toward you that was discriminatory?

4 A. Treated me different than other people.

5 Q. And does that go back to the excessive  
6 monitoring we discussed?

7 A. Right.

8 Q. And it goes back to the email about what hours  
9 you are working?

10 A. Yes.

11 Q. Does it go back to what you raised in the  
12 hotline complaint?

13 A. Right.

14 Q. Are there any other actions that Ms. King took  
15 that we haven't discussed today that you believe were  
16 discriminatory against you because of your race?

17 A. No, none that I can think of.

18 Q. Do you believe Ms. King took any actions that  
19 are retaliatory against you?

20 A. Not that I can think of.

21 Q. To your knowledge, did Ms. King have any  
22 knowledge regarding your hotline complaint?

23 A. Oh, yes. Yes.

24 Q. Or the fact you made a hotline complaint?

25 A. Yes. She had knowledge of that.

Page 178

1 project, which is fine. But like I said, as far as the  
2 excessive monitoring, I think that was more coaching  
3 from Bill Piatt.

4 Q. You also -- so that was one of your  
5 observations. Do you have any other observations to  
6 support your conclusion that Ms. King was being coached  
7 or influenced by Mr. Piatt?

8 A. And then things that people would say.

9 Q. What things?

10 A. You know, same thing that I'm saying to you,  
11 agreeing that Bill is influencing her.

12 Q. And who made these comments?

13 A. Kimberly Long was one of them.

14 Q. Anybody else?

15 A. That's all I can think of right now.

16 And then Linda also made the comment that  
17 Bill wants to build his empire.

18 Q. So what actions -- do you contend Ms. King took  
19 any actions to discriminate against you because of your  
20 gender?

21 A. No.

22 Q. Do you believe Ms. King took any actions to  
23 discriminate against you because of your race?

24 A. Right, and that's -- like I said, that has  
25 something to do with Bill's influence.

Page 180

1 Q. Do you have any -- or to your knowledge, was  
2 Ms. King aware of your complaints to Ms. Hubbard about  
3 Mr. Piatt?

4 A. I don't know for sure about that.

5 Q. Are you basing any claims here today off of  
6 Ms. King's actions?

7 A. The fact that, you know, I believe that she had  
8 a role to play as far as my race, yes.

9 Q. And that's what we just discussed with the  
10 excessive monitoring?

11 A. Right.

12 Q. And then the hotline complaint?

13 A. Uh-huh. And eventually, we did have a meeting,  
14 and she was trying to attack me in that meeting. And I  
15 believe I have that recorded as well. I can't remember  
16 about that one, when she was trying to attack me in that  
17 meeting.

18 And then, again, I believe this is under  
19 the influence of Bill, you know, putting certain  
20 stipulations on me because we eventually had the meeting  
21 about the goals and the expectations, but she wanted me  
22 to sign off on it and agree to certain things. So I  
23 think that was more -- and we had that meeting in  
24 February.

25 Q. And so the goals and expectations that she set

45 (Pages 177 to 180)

HARRIET MARIE LANE - 11/20/2019

Page 181

1 for you, you believe that those were discriminatory?  
 2 A. Right. And those are the ones she came up with  
 3 by herself. It was not a joint decision. So the  
 4 process at Siemens is for individuals to have a joint  
 5 conversation and agreement about the goals and the  
 6 expectations, you know, because that same information,  
 7 as I was stating earlier, is going to be used as the  
 8 basis for merit increases and promotions.  
 9 Q. Do you contend that Ms. King undertook any  
 10 other actions that were discriminatory with respect to  
 11 your race?  
 12 A. Not that I can recall.  
 13 MS. GRANT: Do you want to take a  
 14 ten-minute break?  
 15 MR. BAIL: Sure.  
 16 (A recess was taken.)  
 17 Q. (BY MS. GRANT) Ms. Lane, you understand you're  
 18 still under oath?  
 19 A. Yes.  
 20 Q. When we left or took a break, we were  
 21 discussing Melissa King. Do you recall?  
 22 A. Yes.  
 23 Q. And that's your former supervisor, correct?  
 24 A. Yes.  
 25 Q. And we were discussing the instances when

Page 182

1 Ms. King discriminated against you, and I want to make  
 2 clear, are you asserting Ms. King discriminated against  
 3 you because of your gender?  
 4 A. No.  
 5 Q. But you are contending she discriminated  
 6 against you because of your race?  
 7 A. Yes.  
 8 Q. And we have gone through some of those, the  
 9 excessive monitoring, the not having the goals and  
 10 expectations meeting with you. And when we left you  
 11 were saying also the items in your goals and  
 12 expectations meetings once she had that.  
 13 Is that a contention that you -- are you  
 14 forming -- strike that.  
 15 Do you contend that, too, was a form of  
 16 discrimination based on your race?  
 17 A. Right. I had never -- so the goals -- yeah.  
 18 Yes.  
 19 Q. The actual goals and expectations that she set  
 20 for you?  
 21 A. Right, and the process, yes, the process. Yes.  
 22 Yes. And the goals and expectations, yes.  
 23 Q. Were there any other instances that you allege  
 24 Ms. King took discriminatory actions because of your  
 25 race?

Page 183

1 A. Not that I recall.  
 2 Q. And we went over this with respect to your  
 3 hotline, but you are not asserting any claims based on  
 4 your PTO or request for PTO, correct?  
 5 A. No.  
 6 Q. I have seen before there were some emails about  
 7 an alternative work location. Do you recall those  
 8 discussions with Ms. King?  
 9 A. Yes.  
 10 Q. Are you basing any claims here based on those  
 11 email discussions about your request for an alternative  
 12 work location?  
 13 A. No.  
 14 Q. I'm handing you what's been marked as  
 15 Exhibit 19.  
 16 (Exhibit 19 was marked.)  
 17 Q. (BY MS. GRANT) Is Exhibit 19 the goals and  
 18 expectations that Ms. King ultimately set for you that  
 19 we were just discussing?  
 20 A. Let me look through here. Yes.  
 21 Q. And what aspect or part of Exhibit 19 do you  
 22 contend was discriminatory to you because of your race?  
 23 A. Okay. So before, you know, all my years  
 24 working for Rolls-Royce and Siemens -- because Siemens  
 25 bought Rolls-Royce out -- I've never had to do this.

Page 184

1 I've never had to have a presentation where it was -- we  
 2 have never done this. There is a form. There is a  
 3 template that you can -- if you want to have  
 4 professional development that you can do, but I have  
 5 never had to do anything like this and then be requested  
 6 to sign it.  
 7 Q. Did you prepare Exhibit 19?  
 8 A. No.  
 9 Q. Ms. King did?  
 10 A. I'm not sure who prepared it, but I didn't.  
 11 Q. But the way this meeting was presented to you  
 12 is partly what you believe was discriminatory?  
 13 A. Right. It treated me different than anyone  
 14 else.  
 15 Q. To your knowledge, did anyone else get a  
 16 similar presentation?  
 17 A. I'm not sure.  
 18 Q. Do you have any personal knowledge about what  
 19 presentation or goals and expectations, how they were  
 20 delivered to any other employee?  
 21 A. No.  
 22 Q. When did you have this meeting with Ms. --  
 23 A. I want to say February. I don't know. We  
 24 tried to have one at first, but then that's when that  
 25 meeting had to be canceled.

46 (Pages 181 to 184)

HARRIET MARIE LANE - 11/20/2019

Page 185

1 Q. Why was that meeting canceled?  
 2 A. Because the way that she was attacking me and  
 3 coming up with false information.  
 4 Q. So did you cancel that meeting?  
 5 A. Yes. I asked that I leave the meeting, and  
 6 Patrik gave me permission.  
 7 Q. What false information was she stating here in  
 8 this meeting?  
 9 A. There is one in here about the meeting itself.  
 10 So here. So this is -- okay. So I have -- so she has a  
 11 meeting in here December 1, whatever. So she was saying  
 12 something about that we were going to have weekly  
 13 meetings. But we never had the weekly meetings. She  
 14 never showed up for the weekly meetings. So this was,  
 15 again, after the complaint.  
 16 Q. And so is it your contention that her  
 17 requirement that you have weekly meetings but then she  
 18 never showed up, that was -- are you alleging that was  
 19 discriminatory or retaliatory?  
 20 A. I'm talking about this entire process here that  
 21 was discrimination.  
 22 Q. Okay. And do you allege it was retaliatory?  
 23 A. What, this here?  
 24 Q. Yes.  
 25 A. It could be construed that way. I don't know

Page 187

1 was requesting back in October let's have a discussion.  
 2 Let's talk about what your expectations are, what my  
 3 expectations are. Let's establish some goals.  
 4 So by that time all that time had passed,  
 5 and then when she sent this, we never even starting  
 6 having any type of meeting.  
 7 Q. So the fact she sent this but then you never  
 8 had them, that's the description of the process that you  
 9 are describing, correct?  
 10 A. When I talk about the process -- so this is a  
 11 process. This is a process for goals and expectations.  
 12 So when I'm talking about goals and expectations  
 13 process, I have never had it done in this format before.  
 14 Q. The format is your complaint there?  
 15 A. Right.  
 16 Q. And then your other complaint is with respect  
 17 to she set up a meeting and it never happened?  
 18 A. Right.  
 19 Q. Until months later?  
 20 A. Right. And, also, the complaint is that in  
 21 October when I initially learned that she was going to  
 22 be my supervisor, I requested, Let's come together.  
 23 Let's try to establish rapport. Let's have a  
 24 relationship.  
 25 And two months later, this is when she

Page 186

1 for sure, but I'm just talking about the process.  
 2 Q. Okay. And "the process" meaning the  
 3 cancellation of the meetings?  
 4 A. No. The process of the goals and expectations.  
 5 She put these together without my input, things of that  
 6 nature.  
 7 Q. Are you aware of any other expectations or  
 8 goals that she prepared for other employees that  
 9 reported to her?  
 10 A. No.  
 11 Q. And do you have any knowledge whether or not  
 12 she prepared those for other employees without their  
 13 input?  
 14 A. I'm not aware of that.  
 15 Q. So going back to this page that you pointed  
 16 out, can you provide -- just clarify for me what about  
 17 this recurring meeting and canceling, why are you  
 18 singling that out?  
 19 A. Okay. So remember we came -- I started working  
 20 for Melissa in October of 2016. This meeting here says  
 21 that -- what's the date on here? 12/23.  
 22 Q. Okay.  
 23 A. So the time frame there.  
 24 Q. Okay.  
 25 A. So she sent this to me and then -- back when I

Page 188

1 sends this. But then even after she sends it, we never  
 2 had sit down one-on-ones. And when we did eventually  
 3 have a sit down one-on-one, it was in this format.  
 4 Q. And it was the meeting you discussed was  
 5 contentious?  
 6 A. Right.  
 7 Q. What inaccurate statements did she say to you  
 8 during this meeting?  
 9 A. Did I say anything inaccurate? Something about  
 10 that I had canceled meetings or something like that, but  
 11 nothing was ever canceled.  
 12 Q. Any other comments that she made during this  
 13 meeting that were inaccurate?  
 14 A. Not that I recall.  
 15 Q. But you ended the meeting and left, correct?  
 16 A. Got permission to leave from Patrik because he  
 17 was a part of meeting as well.  
 18 And then again, going back to that, I'm  
 19 thinking it's me and my supervisor. I'm not sure why  
 20 Patrik needed to be a part of the meeting.  
 21 Q. Are you aware of whether Patrik attended any  
 22 other goals and expectations meetings?  
 23 A. I'm not aware.  
 24 Q. Do you have any knowledge of whether he did not  
 25 attend?

47 (Pages 185 to 188)

HARRIET MARIE LANE - 11/20/2019

Page 189

1 A. I'm not aware.

2 Q. You have no personal knowledge about any other  
3 employee's goals and expectations meetings?

4 A. No.

5 Q. What else about this Exhibit 19 do you find to  
6 be discriminatory by Ms. King?

7 A. Okay. So she -- again, she wanted the  
8 documented information about time and attendance. So  
9 anything she wanted me to do, she wanted to make sure it  
10 was being documented.

11 Q. So her documenting her expectations of you, you  
12 contend that was discriminatory?

13 A. Right.

14 Q. And do you know whether or not she documented  
15 any other goals and expectations for other employees?

16 A. I'm not aware.

17 Q. Do you have any -- do you find any complaints  
18 about the actual expectations themselves here in this,  
19 like with respect to time and attendance?

20 A. What was that again?

21 Q. Did you have any complaints regarding the  
22 actual time and attendance expectations that she listed  
23 here?

24 A. Not that I can recall right now.

25 And then --

Page 190

1 Q. It was just the fact that she documented them?

2 A. Yeah, just everything. So there that's just  
3 building -- that's not building up a rapport.

4 And then go back here to the surveys. So,  
5 again, this is what I was talking about with Bill.  
6 Never before. Okay? So they're going outside the  
7 process in general.

8 And then let me see what else did I have  
9 information about? So those are some examples there.  
10 But you see there that --

11 Q. What's the page at the bottom? Would you read  
12 the Bates number.

13 A. 99 --

14 Q. Siemens-Lane 202, that's what you are referring  
15 to?

16 A. Yes.

17 Q. And the goals and expectations are outlined in  
18 Siemens-Lane 198 that we already discussed. I'm just  
19 making it clear for the record.

20 So turning to 202, here it says  
21 "Additional Expectations."

22 A. Okay. So these are my job responsibilities.  
23 So she wanted me to continue supporting the IMS  
24 documentation requirements, but when I came back from  
25 FMLA, that was taken away from me.

Page 191

1 She want me to perform all the -- anything  
2 here, just about everything was taken away from me when  
3 I came back from FMLA.

4 Q. Do you believe Ms. King made the decision to  
5 take that away from you?

6 A. I'm not sure.

7 Q. So with respect to page 202, you are just  
8 pointing out that these were actually the duties that  
9 were taken away from you later?

10 A. Yeah, these were taken away, right.

11 Q. Did you find anything discriminatory about the  
12 fact that these list of duties were in your expectations  
13 and goals for Ms. King?

14 A. No, I don't find -- what was the question  
15 again? I'm sorry.

16 Q. Did you find this list on page 202 -- Ms. King  
17 here lists them as additional expectations of you -- did  
18 you find the fact that she believed this list was an  
19 expectation of you, did you believe that was  
20 discriminatory?

21 A. No.

22 Q. This on 202 reflects -- I believe you just said  
23 this was pretty much your job duties here.

24 A. Yeah, pretty much. But then when I came back,  
25 all this was taken away from me.

Page 192

1 And then when we talked about earlier  
2 that -- about this being used to form the basis of my  
3 merit increase and promotion. So yes, this would be  
4 used to determine whether or not and how much of a merit  
5 increase I would receive, whether or not I'll get  
6 promoted to another position. But if this was going to  
7 be used to make those decisions, why would those  
8 responsibilities be taken away?

9 Q. With respect to promotions, were you ever  
10 denied any promotion at Siemens?

11 A. When I was on the Performance Improvement Plan,  
12 I could not get a promotion.

13 Q. Other than that period, did you ever apply for  
14 and were denied any promotion?

15 A. No.

16 Q. Are you asserting any claims here for denial of  
17 a promotion?

18 A. No.

19 Q. You also said with certificate receives. In  
20 2017 or after this, did you receive a merit increase?

21 A. No.

22 Q. Were merit increases guaranteed?

23 A. I don't know about that time.

24 Q. Did you receive a merit increase every year?

25 A. Yes.

48 (Pages 189 to 192)

HARRIET MARIE LANE - 11/20/2019

Page 193	Page 195
<p>1 Q. Except this year?</p> <p>2 A. Except 2017, yes.</p> <p>3 Q. And are you asserting that you were denied a</p> <p>4 merit increase because of your race?</p> <p>5 A. No.</p> <p>6 Q. Are you contending you were denied a merit</p> <p>7 increase because of your gender?</p> <p>8 A. No.</p> <p>9 Q. Are you contending you were denied a merit</p> <p>10 increase in retaliation for your complaining?</p> <p>11 A. No.</p> <p>12 Q. And are you asserting a claim here in this</p> <p>13 lawsuit based upon any denial of merit increase?</p> <p>14 A. No.</p> <p>15 Q. You are just saying that Exhibit 19 is</p> <p>16 something that's considered?</p> <p>17 A. Yes.</p> <p>18 Q. And because these items were in here, it could</p> <p>19 have had an effect?</p> <p>20 A. Yes.</p> <p>21 Q. But you are not aware of any negative effect</p> <p>22 Exhibit 19 had, actually had on any term or condition of</p> <p>23 your employment?</p> <p>24 A. Right.</p> <p>25 Q. You had mentioned that there was a standard</p>	<p>1 what this is used for, Exhibit 20 is used for.</p> <p>2 Q. That was not done with respect to Exhibit 19?</p> <p>3 A. No.</p> <p>4 Q. And you believe that was discriminatory based</p> <p>5 on your race?</p> <p>6 A. Right. Yes.</p> <p>7 Q. Are there any other actions that you believe</p> <p>8 Ms. King took to discriminate against you because of</p> <p>9 your race?</p> <p>10 A. Not that I can think of right now.</p> <p>11 Q. Did you ever hear Ms. King make any comments</p> <p>12 about your race?</p> <p>13 A. No.</p> <p>14 Q. Did you ever hear Ms. King make any negative</p> <p>15 comments about the fact that you complained to HR, Patti</p> <p>16 Davis, Linda Hubbard? Did you ever hear her make any</p> <p>17 negative comments about that?</p> <p>18 A. No.</p> <p>19 Q. To your knowledge, was she aware of those</p> <p>20 complaints?</p> <p>21 A. Yes.</p> <p>22 Q. Do you contend Ms. King retaliated against you</p> <p>23 in any way?</p> <p>24 A. I mean, like I said she -- I mean, I don't know</p> <p>25 for sure. This is personal belief. That's all I know.</p>
Page 194	Page 196
<p>1 form that most people used.</p> <p>2 (Exhibit 20 was marked.)</p> <p>3 Q. (BY MS. GRANT) I'm handing you what's been</p> <p>4 marked as Exhibit 20. Is this the standard form you are</p> <p>5 referring to?</p> <p>6 A. Yes. Something like that, yes.</p> <p>7 Q. One of the complaints about Exhibit 19 is that</p> <p>8 it came in this format, not the format of Exhibit 20?</p> <p>9 A. Right. So this -- just everything in here.</p> <p>10 Not just the format but the process.</p> <p>11 Q. I understand that. But I just want to make</p> <p>12 sure. With respect to format, your complaint is that it</p> <p>13 should have looked like Exhibit 20?</p> <p>14 A. Yes. And I should have been provided input.</p> <p>15 This was already predetermined for me.</p> <p>16 Q. And you'd provide input when you do Exhibit 20?</p> <p>17 A. Yes.</p> <p>18 MR. BAIL: So this is Exhibit 20?</p> <p>19 MS. GRANT: Yes.</p> <p>20 A. Going back to this --</p> <p>21 Q. (BY MS. GRANT) "This" meaning Exhibit 20?</p> <p>22 A. Yes. I'm sorry. So Exhibit 20, okay, so this</p> <p>23 is something that is filled out at the beginning of the</p> <p>24 year, and then you also make updates mid-year and then</p> <p>25 you also make updates at the end of year. So that's</p>	<p>1 Q. Other than what we have already discussed, is</p> <p>2 there any other relevant knowledge Ms. King has with</p> <p>3 respect to your claims?</p> <p>4 A. Not that I'm aware of.</p> <p>5 Q. Turning back to Exhibit 5, will you turn the</p> <p>6 page. On our list of employees, Kimberly Long is the</p> <p>7 next one.</p> <p>8 We have already discussed her, correct?</p> <p>9 A. Yes, we did.</p> <p>10 Q. Then next we have got the infamous Bill Piatt.</p> <p>11 And we have talked at length about Mr. Piatt.</p> <p>12 Let me ask you this: Have we discussed</p> <p>13 all the issues or basis of your claim of racial</p> <p>14 discrimination against Mr. Piatt?</p> <p>15 A. Yes, as far as I can recall, as far as</p> <p>16 retaliation, discrimination because of my race and</p> <p>17 because of my gender.</p> <p>18 Q. Do you believe Mr. Piatt</p> <p>19 discriminated -- retaliated against you for taking FMLA</p> <p>20 leave?</p> <p>21 A. Yes.</p> <p>22 Q. And on what do you base that belief?</p> <p>23 A. Because going back to like personal belief and</p> <p>24 the fact that he was involved in the discussion when we</p> <p>25 talked about the Performance Improvement Plan, he was</p>

49 (Pages 193 to 196)



HARRIET MARIE LANE - 11/20/2019

Page 197

1 there in that meeting.  
 2 Q. Anything else?  
 3 A. That's it right now that I can recall.  
 4 Q. And we have discussed the instances -- there  
 5 were complaints about him harassing you?  
 6 A. Right.  
 7 Q. And those were -- have we gone over all the  
 8 instances that you claim where he harassed you?  
 9 A. We did. We talked about those.  
 10 Q. At the beginning and with respect to your  
 11 complaints to Ms. Hubbard?  
 12 A. Those and then the ones that I made to  
 13 Safecall, the ones that I made to Toni Horton.  
 14 Q. Are there any other instances where you believe  
 15 Mr. Piatt harassed you because of your race?  
 16 A. None that I can recall that we haven't  
 17 talked -- just those we have talked about.  
 18 Q. And are those actions by Mr. Piatt forming the  
 19 basis of your claims here today?  
 20 A. Yes.  
 21 Q. Did you ever hear Mr. Piatt make any negative  
 22 comments about your race?  
 23 A. No.  
 24 Q. Did you ever hear him make any negative  
 25 comments about your gender?

Page 198

1 A. No.  
 2 Q. Did you ever hear Mr. Piatt make any negative  
 3 comments about you taking FMLA leave?  
 4 A. No.  
 5 Q. Are you -- do you have any evidence that  
 6 Mr. Piatt was aware you complained to Linda Hubbard  
 7 about him?  
 8 A. Going back to the meetings, the meetings that  
 9 we talked about earlier, just that -- those meetings.  
 10 Q. The meeting with the PIP?  
 11 A. Right.  
 12 Q. Anything else?  
 13 A. And the fact that Linda said she talked to him.  
 14 That's it.  
 15 Q. Okay. Did Linda say that she told him you  
 16 complained about him?  
 17 A. No.  
 18 Q. Did you record any conversations with  
 19 Mr. Piatt?  
 20 A. Yes. I have -- yes, I have.  
 21 Q. And going back, did you record any  
 22 conversations with Ms. King?  
 23 A. Ms. King? I want to say yes, I have, yes.  
 24 Q. And the subject or nature of those  
 25 conversations are accurately in those recordings?

Page 199

1 A. Yes.  
 2 Q. Did Mr. Piatt or Ms. King know you were  
 3 recording them at the time?  
 4 A. No.  
 5 Q. And did those recordings take place on Siemens'  
 6 property?  
 7 A. Yes.  
 8 Q. And do you contend that those conversations  
 9 evidence discrimination or harassment?  
 10 A. What was that again? I'm sorry.  
 11 Q. Do you contend the conversations in those  
 12 recordings were evidence of discrimination or  
 13 harassment?  
 14 A. Those conversations? I don't know. I can't  
 15 really -- I don't know. I can't guess right now. I  
 16 can't recall.  
 17 Q. But we have covered the allegations regarding  
 18 Mr. Piatt's discriminatory, retaliatory and harassing  
 19 conduct?  
 20 A. Yes.  
 21 Q. I just want to make sure we have covered  
 22 everything.  
 23 A. Yes.  
 24 Q. Is there any other relevant knowledge Mr. Piatt  
 25 would have?

Page 200

1 A. Not that I'm aware of.  
 2 Q. Do you have any knowledge whether he had a role  
 3 in your layoff?  
 4 A. My personal belief and then also the fact that  
 5 he had a role in several things. I mean, my personal  
 6 belief and then the fact that me being the internal  
 7 auditor and having to report to him and then telling me  
 8 that position is being eliminated. And then him  
 9 distributing my roles and responsibilities to other  
 10 people, you know, all is a basis to get rid of me.  
 11 And then the conversation with the  
 12 receptionist that he was going to -- telling her to  
 13 deactivate my badge because I was not coming back, and  
 14 that's when I was on FMLA.  
 15 Q. When you were on FMLA leave, were you allowed  
 16 to come onto Siemens' property?  
 17 A. Yes. If I needed to, yes.  
 18 Q. Was there any need for you to come on?  
 19 A. During the time?  
 20 Q. Yes.  
 21 A. Maybe -- not that I can think of at the time,  
 22 no.  
 23 Q. And your badge was reinstated that same day,  
 24 your first day back?  
 25 A. Right.

50 (Pages 197 to 200)

HARRIET MARIE LANE - 11/20/2019

Page 201	Page 203
<p>1 Q. It's just you went to badge in when you showed 2 up, and it wasn't working?</p> <p>3 A. Right.</p> <p>4 Q. Is there any other knowledge here that you 5 believe forms the basis -- strike that.</p> <p>6 Do you believe Mr. Piatt has any other 7 relevant knowledge regarding your claims?</p> <p>8 A. Not that I'm aware of.</p> <p>9 Q. Going back to Exhibit 5, we have got Mark 10 Shipley.</p> <p>11 A. Oh, this one.</p> <p>12 Q. Yes. We have touched on Mark Shipley some. 13 What is Mark Shipley's race?</p> <p>14 A. He's a Caucasian, European.</p> <p>15 Q. And he is the general manager or president at 16 the facility?</p> <p>17 A. Yes. At Siemens, yes.</p> <p>18 Q. So he wasn't your direct supervisor, but he 19 would have been your supervisor a couple levels up?</p> <p>20 A. Right, yes.</p> <p>21 Q. And do you contend that Mr. Shipley took any 22 actions that were discriminatory because of your race?</p> <p>23 A. Only thing that I know is that he allowed the 24 treatment to take place.</p> <p>25 Q. Mr. Piatt's treatment?</p>	<p>1 what's going on. But she said that in that PIP meeting. 2 She explained the reason why he was there.</p> <p>3 Q. Other than the PIP meeting, is there any 4 evidence that he was aware of your complaints to 5 Ms. Hubbard?</p> <p>6 A. Not that I'm aware of, because I didn't go to 7 him directly.</p> <p>8 Q. And that PIP meeting also is how you believe he 9 was aware of your hotline complaint?</p> <p>10 A. Yes.</p> <p>11 Q. Do you contend Mr. Shipley took any actions in 12 retaliation for you taking FMLA leave?</p> <p>13 A. I don't know that he was involved directly. I 14 mean -- but like I said, he allowed a lot of the 15 treatment to take place.</p> <p>16 Q. To your knowledge, was Mr. Shipley aware that 17 you had taken FMLA leave?</p> <p>18 A. Oh, yes, he was aware because Linda and I had a 19 conversation. They had released me. My doctors had -- 20 and this is in the medical records. They released me to 21 go on part-time, but then Linda -- when I called Linda 22 to discuss that with her, she said that -- "Let me talk 23 to management." And that is Mark Shipley. She said she 24 was going to talk to management and get back with me. 25 She never got back to me. Who got back with me was my</p>
Page 202	Page 204
<p>1 A. Yes.</p> <p>2 Q. Do you contend that Mr. Shipley took -- strike 3 that.</p> <p>4 So it's his inaction that you believe?</p> <p>5 A. Right. Right.</p> <p>6 Q. When you say Mr. Piatt's actions, do you mean 7 those specifically towards you or with regards to the 8 general Mr. Piatt's treatment of women?</p> <p>9 A. Okay. So when I say towards me, as far as the 10 African-American, black woman, and then also 11 retaliation, he allowed that. And then he allowed the 12 mistreatment of women, yes.</p> <p>13 Q. And by allowing, you mean he just didn't take 14 any action to prevent it?</p> <p>15 A. Right.</p> <p>16 Q. Are you aware of any actions Mr. Shipley did -- 17 strike that.</p> <p>18 Is it Mr. Shipley's inaction that you 19 contend was retaliatory against you?</p> <p>20 A. Right.</p> <p>21 Q. Are you aware of whether Mr. Shipley knew of 22 your complaints to Ms. Hubbard?</p> <p>23 A. Other than him being a part of the meetings 24 that took place for the PIP, and then Linda telling me 25 that because he's the president, she has to communicate</p>	<p>1 FMLA contact that said it was denied.</p> <p>2 So, yes, he knew about the FMLA, yes.</p> <p>3 Q. And you reached that conclusion because Linda 4 Hubbard said she had to talk to management?</p> <p>5 A. Yes.</p> <p>6 Q. And how do you know that by "management" she 7 meant Mark Shipley?</p> <p>8 A. Yes, I know that because he's the president. 9 He's the president of that facility, of that location, 10 and he's considered management.</p> <p>11 Q. Are there any other employees that are 12 considered management?</p> <p>13 A. Yes, like Bill Piatt, Donna Wilson.</p> <p>14 Q. And so do you contend Ms. Hubbard told every 15 member of management about your FMLA leave?</p> <p>16 A. No, I wouldn't say that.</p> <p>17 Q. So on what basis do you believe she told 18 Mr. Shipley?</p> <p>19 A. Because he's the president and the general 20 manager of that facility, and I think that she told him 21 because he needs to know about it.</p> <p>22 Q. So do you contend that she tells Mr. Shipley of 23 every employee who takes FMLA leave?</p> <p>24 A. Probably so.</p> <p>25 Q. And do you have any evidence to support that</p>

51 (Pages 201 to 204)

HARRIET MARIE LANE - 11/20/2019

Page 205

1 conclusion?  
 2 A. No.  
 3 Q. Did you ever hear Mr. Shipley make any negative  
 4 comments about your gender?  
 5 A. No.  
 6 Q. Did you hear Mr. Shipley ever make any negative  
 7 comments about your race?  
 8 A. No.  
 9 Q. Did you hear Mr. Shipley ever make any negative  
 10 comments about you taking FMLA leave?  
 11 A. No.  
 12 Q. Did he ever make any negative comments about  
 13 you complaining to Linda Hubbard?  
 14 A. No.  
 15 Q. And did Mr. Shipley ever make any negative  
 16 comments about the fact that you called the hotline?  
 17 A. No.  
 18 Q. Did he make any comments during your PIP  
 19 meeting?  
 20 A. Did he make any comments?  
 21 Q. Yes.  
 22 A. When I said that I have a good working  
 23 relationship with him, he agreed.  
 24 Q. And other than agreeing that he did have a good  
 25 working relationship, did Mr. Shipley say anything else

Page 207

1 A. Donna Wilson.  
 2 Q. Did Donna Wilson make any comments in that  
 3 meeting?  
 4 A. She made comments, yes.  
 5 Q. What did Ms. Wilson speak of in that meeting?  
 6 A. More so about our relationship as far as how we  
 7 worked in the past, which was positive.  
 8 Q. And at this point when you came back,  
 9 Ms. Wilson was your new manager?  
 10 A. Yes.  
 11 Q. In place of Ms. King?  
 12 A. Right.  
 13 Q. Are you asserting any claims here based on  
 14 Mr. Shipley's actions?  
 15 A. No.  
 16 Q. And then if you turn to the next one, it's  
 17 Ms. Wilson.  
 18 A. Okay.  
 19 Q. What is Ms. Wilson's race?  
 20 A. She's Caucasian female.  
 21 Q. She was your direct supervisor?  
 22 A. Yes.  
 23 Q. Up through your termination?  
 24 A. Yes.  
 25 Q. Did you ever hear Ms. Wilson say any negative

Page 206

1 during that PIP meeting?  
 2 A. No, none that I can think of.  
 3 Q. What about Mr. Piatt? Did he make any  
 4 statements during that PIP meeting?  
 5 A. No.  
 6 Q. Who mostly talked during that PIP meeting?  
 7 A. Linda.  
 8 Q. Hubbard?  
 9 A. Yes.  
 10 Q. What did Linda Hubbard tell you during that PIP  
 11 meeting?  
 12 A. She went over pretty much the PIP.  
 13 Q. She just read it to you?  
 14 A. We talked about the information and talked  
 15 about who I was going to report to and things in that  
 16 conversation as well, those details.  
 17 Q. If I recall, Patrik Hols was also present in  
 18 that meeting.  
 19 A. Yes.  
 20 Q. Did he make any statements during that PIP  
 21 meeting?  
 22 A. Not that I recall.  
 23 Q. Was Ms. King in that meeting?  
 24 A. No.  
 25 Q. Was anyone else in that meeting?

Page 208

1 comments about your race?  
 2 A. No.  
 3 Q. And to your knowledge, was Ms. Wilson aware of  
 4 your complaints to Ms. Hubbard?  
 5 A. Yes.  
 6 Q. Because she was present in that PIP meeting?  
 7 A. Right, and we talked about them individually,  
 8 me, her and Linda, yes.  
 9 Q. Was she aware of your -- was Ms. Wilson aware  
 10 of your hotline complaint?  
 11 A. Yes.  
 12 Q. Did she make any negative comments about the  
 13 fact you filed a hotline complaint?  
 14 A. No.  
 15 Q. Are you contending that Ms. Wilson took any  
 16 actions that were discriminatory based on your race or  
 17 gender?  
 18 A. Right. She called me silly. She also  
 19 retaliated against me by assisting in the layoff.  
 20 Q. So I just want to back up with just  
 21 discrimination. So it was the comment of calling you  
 22 silly?  
 23 A. Yes.  
 24 Q. Any other actions?  
 25 A. That's what I recall right now.

52 (Pages 205 to 208)

HARRIET MARIE LANE - 11/20/2019

Page 209

1 Q. And you contend that this was a comment about  
 2 your race?  
 3 A. Right.  
 4 Q. And you base that conclusion off of you were  
 5 having a serious conversation. You weren't joking  
 6 around?  
 7 A. Right.  
 8 Q. Anything else?  
 9 A. Not that I can think of.  
 10 Q. And she called you this just once, correct?  
 11 A. Right.  
 12 Q. Any other actions that Ms. Wilson took that you  
 13 contend were discriminatory because of your race?  
 14 A. The retaliation to lay me off.  
 15 Q. But do you contend that you were laid off  
 16 because of your race?  
 17 A. Right, and the retaliation.  
 18 Q. Other than your layoff, were there any other  
 19 actions that you believe Ms. Wilson took because of your  
 20 race?  
 21 A. Not that I can think of.  
 22 Q. Do you contend that she called you silly  
 23 because of your gender?  
 24 A. No.  
 25 Q. Do you contend that your gender played a role

Page 210

1 in the decision to lay you off?  
 2 A. I don't know. I don't know about that.  
 3 Q. And then going to your claims of retaliation,  
 4 you mentioned the layoff. Is there any other actions  
 5 that you believe Ms. Wilson took in retaliation against  
 6 you?  
 7 A. No. She came on after the scene, but like I  
 8 said, she participated in the layoff.  
 9 Q. And do you contend these were in retaliation  
 10 for your complaints to Ms. Hubbard?  
 11 A. Right, and Patti and Toni. Because I  
 12 complained to Toni about her calling me silly.  
 13 Q. And do you believe that Ms. Wilson made the  
 14 decision or was involved in the decision to lay you off  
 15 in retaliation for taking FMLA leave?  
 16 A. I don't know about that.  
 17 Q. Is there any other actions that you contend  
 18 Ms. Wilson took that formed the basis -- strike that.  
 19 Did Ms. Wilson take any other actions that  
 20 you allege were discriminatory or retaliatory?  
 21 A. None that I can think of.  
 22 Q. And are you asserting any claims based on  
 23 Ms. Wilson's actions?  
 24 A. Right. We talked about those.  
 25 Q. The layoff?

Page 211

1 A. Uh-huh.  
 2 Q. And the silly comment?  
 3 A. Yes.  
 4 Q. And to your knowledge, what exactly was  
 5 Ms. Wilson's role with respect to your layoff?  
 6 A. Okay. As far as I know, she helped make the  
 7 decision that, yes, Harriet is no longer needed.  
 8 Q. To your knowledge, who all was involved in the  
 9 decision to lay you off?  
 10 A. To my knowledge, in the conference room was --  
 11 Donna Wilson and Toni Horton were in the conference  
 12 room. But I think Toni just being in HR was just  
 13 relaying the information. And I believe Bill Piatt also  
 14 had influence on that.  
 15 Q. And so to your knowledge, you believe that  
 16 Donna Wilson, Toni Horton and Bill Piatt had some  
 17 involvement, but really Donna Wilson and Bill Piatt?  
 18 A. Right. Toni was just, "Here, Harriet, you're  
 19 being laid off." She was acting as the HR  
 20 representative.  
 21 Q. So you described the room. So was it Donna  
 22 Wilson and Toni Horton who informed you of your layoff?  
 23 A. Yes.  
 24 Q. And what did they tell you with respect to your  
 25 layoff?

Page 212

1 A. That my position -- that they had sold the  
 2 Siemens Springfield, Missouri, location and that my  
 3 position as an internal auditor had been eliminated as  
 4 an internal auditor, although I was hired as a senior  
 5 basis process specialist.  
 6 Q. But at the time when you had your duties taken  
 7 away, you were only performing internal auditing?  
 8 A. That's all they had me doing. They had taken  
 9 away everything else when I came back from FMLA. And  
 10 never gave it back to me.  
 11 Q. Did they tell you any other reason for the  
 12 decision to eliminate your position?  
 13 A. That was the only one.  
 14 Q. The only reason was the Springfield decision?  
 15 A. Right. That I hadn't worked at or performed  
 16 any audits for since July, June of 2016.  
 17 Q. Is that true?  
 18 A. No. They didn't tell me that. I'm saying that  
 19 to you.  
 20 Q. Okay.  
 21 A. They just said that "I'm eliminating your  
 22 position as an internal auditor because we sold the  
 23 Springfield, Missouri, location and your role as an  
 24 internal auditor is being eliminated."  
 25 Q. And they gave you no other justification other

53 (Pages 209 to 212)

HARRIET MARIE LANE - 11/20/2019

Page 213

1 than the Springfield, Missouri?

2 A. Right.

3 Q. And you're saying the last time you performed  
4 an audit at the Springfield, Missouri, location was in  
5 June or July of 2016?

6 A. Yes.

7 Q. And so is that your basis for contending that  
8 that was false?

9 A. Right. Because also, too, Kimberly Long, she  
10 work for the Springfield location. Brad Monroe worked  
11 for the Springfield location. To my knowledge at that  
12 time, they were not laid off.

13 Q. With Kimberly Long, what was her position?

14 A. She was EHS.

15 Q. And so she was performing auditor positions on  
16 top of her additional duties, correct?

17 A. Yes. She performed work for the Springfield  
18 location as I did.

19 Q. In addition to other duties that you did not  
20 perform, correct?

21 A. Right.

22 Q. Do you have any knowledge that she continued to  
23 perform any audits or work for the Springfield facility  
24 after your termination?

25 A. No. After the termination they told me they

Page 215

1 Q. But did you do internal auditing nationwide?

2 A. No. I did it for -- just at the time I was

3 only doing it for Telge. But like I said, they told me  
4 my position was being eliminated because they had sold  
5 the Springfield location.

6 Q. But you and -- Mr. Monroe and you had different  
7 job duties and responsibilities. I understand you are  
8 both internal auditing, but you were at the Telge  
9 facility, and he was doing a lot of other facilities  
10 nationwide, including Springfield?

11 A. Okay.

12 Q. Is that correct?

13 A. Yes.

14 Q. Is there any other employee that you contend  
15 were actually doing the work of Springfield?

16 A. Other than the ones that worked there, I don't  
17 know -- I can't remember everybody that was working  
18 there. But even those people that worked in finance,  
19 So Donna worked in finance.

20 Q. And she was doing work for the Springfield  
21 facility?

22 A. Yes.

23 Q. And so is it your contention that Ms. Long or  
24 Mr. Monroe or Ms. Wilson should have been laid off  
25 instead of you because they were doing that work?

Page 214

1 sold it.

2 Q. Do you have any evidence to refute the  
3 contention that they sold that facility?

4 A. No, I don't have any information about that.

5 Q. And you said Bradley Role?

6 A. No, Monroe, M-O-N-R-O-E.

7 Q. Monroe?

8 A. Yes.

9 Q. And so what was Bradley Monroe's position?

10 A. Well, he was over everything as far as he had  
11 dealings with the -- I don't know his title. But he was  
12 global.

13 Q. Was he in the Telge facility?

14 A. No, he wasn't. That was one of the locations  
15 that he was responsible for, though.

16 Q. And so he also performed audits at the  
17 Springfield position, but he did work at other positions  
18 global or nationwide?

19 A. He did the internal auditing. He was over that  
20 program globally.

21 Q. Not just at Springfield?

22 A. Right.

23 Q. And that's different job duties and  
24 responsibilities than you had in your position, correct?

25 A. We both did internal auditing.

Page 216

1 A. Uh-uh. I didn't say that. I mean, they should  
2 have been laid off in addition to me. If you were  
3 laying me off because you were getting rid of that  
4 facility, then why not lay these other Caucasian people  
5 off.

6 Q. But they were also performing additional duties  
7 separate and apart from the Springfield internal audits?

8 A. Right. But I was, too. Remember, I was  
9 responsible for the document control and the management  
10 system that they took away and never gave back. That  
11 was my role. The job description for senior business  
12 process specialist, that was the job I was hired for. I  
13 was not hired to be an internal auditor. They put me  
14 into that when I came back after FMLA.

15 Q. And so with respect to the closing of the  
16 Springfield facility, you admit that you were performing  
17 some audits for them, correct?

18 A. Back -- not at the time of my layoff. In the  
19 past, yes, along with Kimberly Long, Brad Monroe, yes.  
20 Kathy DeGeorge at one point, too. We performed audits  
21 for the Springfield location.

22 Q. And so you are not contesting, you know, This  
23 is false because that wasn't even my job ever?

24 A. What was that?

25 Q. It's not your position that that justification

54 (Pages 213 to 216)

HARRIET MARIE LANE - 11/20/2019

Page 217

1 is a lie because Springfield audits never fell under  
 2 your purview?  
 3 A. What I'm saying is what they told me the reason  
 4 for them laying me off is because of the  
 5 Springfield -- my position would no longer be needed  
 6 because I'm an internal auditor, and they are  
 7 eliminating or they sold the Springfield location. That  
 8 was their reason for laying me off.  
 9 Q. So it's your position that they should have  
 10 also laid off Kimberly Long and Brad Monroe and Donna  
 11 Wilson?  
 12 A. If that's the reason why they were laying me  
 13 off, because they sold the location.  
 14 Q. And they relayed no other reason for your  
 15 layoff?  
 16 A. No.  
 17 Q. And because the fact that you weren't doing  
 18 work with Springfield, that's the basis of why you  
 19 believe you weren't actually laid off for that reason?  
 20 A. Exactly.  
 21 Q. But instead were laid off in discrimination and  
 22 retaliation?  
 23 A. Exactly.  
 24 (Exhibit 21 was marked.)  
 25 Q. (BY MS. GRANT) I'm handing you what has been

Page 219

1 senior business process specialist job duties.  
 2 Q. Who did?  
 3 A. Remember, that was the combination of the  
 4 receptionist and then another person that worked in  
 5 engineering.  
 6 Q. So the individuals we discussed earlier, they  
 7 assumed -- your duties were split up amongst a number of  
 8 individuals?  
 9 A. Right.  
 10 Q. And so they performed other duties in addition  
 11 to your duties?  
 12 A. Right. And then remember, Kathy DeGeorge, she  
 13 took over some of my responsibilities, too.  
 14 Q. Yes. But generally, your duties were split up  
 15 and given to other people, correct?  
 16 A. Uh-huh. And they were never given back to me  
 17 when I returned from medical leave.  
 18 Q. And at the time after your termination, to your  
 19 knowledge, it stayed that way?  
 20 A. As far as I know.  
 21 Q. And they had done those duties in addition to  
 22 duties they had with their different positions?  
 23 A. Right.  
 24 Q. So for example, Kim Long?  
 25 A. Uh-huh.

Page 218

1 marked as Exhibit 21. Exhibit 21 is the letter that you  
 2 received at the time of your termination, correct?  
 3 A. Yes.  
 4 Q. And did they present this to you at the meeting  
 5 with Donna Wilson and Toni Horton?  
 6 A. Yes.  
 7 Q. And it says here, again, that you were  
 8 terminated as part of a reduction in force, and your  
 9 position was being eliminated, correct?  
 10 A. Yes.  
 11 Q. Are you aware of whether your specific position  
 12 actually was eliminated at this time?  
 13 A. The only thing I know is what they told me.  
 14 They told me my position was being eliminated because of  
 15 the Springfield location being terminated.  
 16 Q. Do you know if Siemens hired any internal  
 17 auditor after you were laid off?  
 18 A. I don't know.  
 19 Q. Do you have any knowledge whether Siemens hired  
 20 any other I think you said senior business process  
 21 specialist?  
 22 A. I'm not sure.  
 23 Q. And do you know who took over your internal  
 24 auditing duties after your layoff?  
 25 A. No, I don't. But I do know who took over the

Page 220

1 Q. She did EHS and then some internal auditing  
 2 duties?  
 3 A. Yes.  
 4 Q. But to your knowledge, there was no business  
 5 process specialist who was hired who did your exact  
 6 duties after your termination?  
 7 A. Not that I'm aware of because I didn't have any  
 8 dealings with them after that. But they do have  
 9 internal auditor positions, yes.  
 10 Q. What about at the Telge facility?  
 11 A. Full-time?  
 12 Q. Yes.  
 13 A. I don't know about that.  
 14 (Exhibit 22 was marked.)  
 15 Q. (BY MS. GRANT) I'm handing you what's been  
 16 marked as Exhibit 22.  
 17 Do you recognize Exhibit 22?  
 18 A. No. I mean, from previously the investigation.  
 19 But when I was working there, no.  
 20 Q. You were not aware this existed prior to your  
 21 termination or the lawsuit?  
 22 A. No.  
 23 Q. Exhibit 22 is a Position Elimination Form that  
 24 was completed by -- it looks like from Toni Horton to  
 25 Lori Lee and Joyce Triglia Bagwell.

55 (Pages 217 to 220)



HARRIET MARIE LANE - 11/20/2019

Page 221	Page 223
<p>1 Do you know who Lori Lee or Joyce Bagwell</p> <p>2 is?</p> <p>3 A. No.</p> <p>4 Q. And according to this, it says "Business</p> <p>5 Justification" and outlines the decision to eliminate</p> <p>6 your employment. Here it says -- I want to walk through</p> <p>7 it -- "The responsibility of the auditor is to perform</p> <p>8 all internal audits of the Telge Road, Houston and</p> <p>9 Springfield sites."</p> <p>10 Was that statement correct?</p> <p>11 A. Remember, my role when I hired on, I was a</p> <p>12 senior business process specialist.</p> <p>13 Q. As of 2017 was that statement correct?</p> <p>14 A. The responsibility of an auditor?</p> <p>15 Q. Yes.</p> <p>16 A. I don't know that because, remember, I was a</p> <p>17 senior business process specialist.</p> <p>18 Q. And then at the end, though, you were only</p> <p>19 performing internal audits, right?</p> <p>20 A. Right. So if they changed my job, I didn't</p> <p>21 know about that.</p> <p>22 Q. So if your job title changed, you were unaware</p> <p>23 of that?</p> <p>24 A. Yes, that's correct.</p> <p>25 Q. But were you required to perform internal</p>	<p>1 the sale of the Springfield site was finalized to be</p> <p>2 effective October 1, 2017, which also reduces the</p> <p>3 workload for the internal auditor for the upcoming</p> <p>4 fiscal year '18. We have already discussed that</p> <p>5 statement.</p> <p>6 Says, "DR Olean also has a Central Office</p> <p>7 Department that was not previously available to Houston</p> <p>8 as a resource."</p> <p>9 Who's DR Olean?</p> <p>10 A. I can only assume that that means Dresser Rand</p> <p>11 Olean, yes. That's another location.</p> <p>12 Q. And so you are not aware of whether or not they</p> <p>13 had a central office that could be used after this?</p> <p>14 A. No, I don't know about that.</p> <p>15 Q. It says, "It has been determined that internal</p> <p>16 audit workload could be reorganized to the Quality</p> <p>17 Department without adding any additional head count."</p> <p>18 And in a way, it was reorganized prior to</p> <p>19 this, correct, because as you said, other people were</p> <p>20 performing your duties?</p> <p>21 A. Uh-huh. Yes.</p> <p>22 Q. Customer and DNV certification are currently</p> <p>23 responsible for the Quality, and the internal audit role</p> <p>24 is not part of the customer and DNV other than to</p> <p>25 comment and provide feedback on the current audits.</p>
Page 222	Page 224
<p>1 audits at the Houston and Springfield sites?</p> <p>2 A. Only at the Houston Telge Road location.</p> <p>3 Q. Okay. And she, says, "The schedule for 2017</p> <p>4 consisted of seven internal audits and seven process</p> <p>5 audits." Was that correct?</p> <p>6 A. I'm not sure.</p> <p>7 Q. Do you have any evidence to refute that?</p> <p>8 A. Not at this time. I don't have any evidence to</p> <p>9 say that it's true, either.</p> <p>10 Q. "When reviewing the time frame needed to</p> <p>11 complete the audits and maintain the audit database,</p> <p>12 it's determined that the function does not require one</p> <p>13 full-time person."</p> <p>14 So do you have any evidence to refute that</p> <p>15 there was not enough workload to keep one full-time</p> <p>16 person busy?</p> <p>17 A. Yeah. There could have been more than enough</p> <p>18 work -- there was more than enough. Remember, they</p> <p>19 took -- this is going back to when I came back from</p> <p>20 FMLA. All my responsibilities were taken away. They</p> <p>21 took everything and distributed it to other people. So</p> <p>22 in my knowledge, yes, there was more than enough work to</p> <p>23 keep one person busy full-time. That's what I agreed</p> <p>24 to.</p> <p>25 Q. And then the next one it says here, This year</p>	<p>1 Is that accurate?</p> <p>2 A. I'm not sure who -- this is all new to me.</p> <p>3 Like I said, I have never seen this before. Never even</p> <p>4 received a job description or anything. This is the</p> <p>5 first time I have seen this. So I don't know what's</p> <p>6 true and what's not. I mean, I can't really attest to</p> <p>7 that.</p> <p>8 Q. It says, "Four Houston Telge Road employees are</p> <p>9 currently trained to assist with audits. These trainees</p> <p>10 have taken on this responsibility in addition to their</p> <p>11 current workload. They are not part of Quality or</p> <p>12 Finance."</p> <p>13 Do you have any evidence to refute the</p> <p>14 accuracy of that statement?</p> <p>15 A. Uh-huh. No.</p> <p>16 Q. And then it says, "Based upon the above</p> <p>17 justification, there is no longer a need for the auditor</p> <p>18 role."</p> <p>19 MR. BAIL: How convenient.</p> <p>20 MS. GRANT: I'll object to the sidebar.</p> <p>21 Q. (BY MS. GRANT) Do you have any reason to</p> <p>22 refute that this was the justification for eliminating</p> <p>23 your position?</p> <p>24 A. Okay. So going back to what I said, I</p> <p>25 never -- when I hired on, I was a senior business</p>

56 (Pages 221 to 224)

HARRIET MARIE LANE - 11/20/2019

Page 225

1 process specialist. When I came back from medical  
2 leave, the only thing they wanted me to do was to do  
3 audits. So it's my personal belief that all this was  
4 used in retaliation to get rid of me. And so I cannot  
5 agree with any of this. This is my first time ever  
6 seeing any of this information.

7 Q. But you are not aware of any evidence that  
8 would refute this information?

9 A. My evidence, my personal belief. When you are  
10 talking about the responsibility of the internal auditor  
11 or an auditor, and then I know this is not true. Are  
12 you talking about me in general, or are you talking  
13 about internal auditors? Because it just says internal  
14 auditor, the responsibility of the auditor. Who are  
15 they talking about? Me?

16 Q. Other than questioning who they're talking  
17 about, the actual factual evidence in here for this  
18 position, do you have any evidence to refute the  
19 justifications provided in here?

20 A. My personal interaction when I was there. It  
21 says all internal auditors for the Telge Road in Houston  
22 and Springfield sites. So that's inaccurate.

23 Q. Because at that point there was only one, the  
24 Houston, Telge?

25 A. If you're talking about for the Telge Road

Page 226

1 location, the only ones being done were the ones at  
2 Telge. So myself or any other auditors that we talked  
3 about previously, they were not doing any at the other  
4 Houston locations or the Springfield sites.

5 Q. So it's your position the elimination or sale  
6 of the Springfield position had no effect on your duties  
7 going forward after that?

8 A. Right.

9 Q. And that's why you support your contention that  
10 this was really in retaliation or discrimination?

11 A. Yes.

12 Q. Is there any other evidence you believe that  
13 supports your contention that you were laid off in  
14 discrimination because of your race or gender?

15 A. Okay. So we're going back to the Performance  
16 Improvement Plan, them taking away my responsibilities  
17 and my duties when I came back, me being immediately  
18 placed on a PIP as soon as I came back from FMLA, and  
19 then the excessive monitoring, everything that we talked  
20 about, and then for them to lay me off, change my job  
21 description without me even knowing. Okay?

22 So I never received any type of pay  
23 supplement or anything for -- if they say I'm an  
24 internal auditor, I never signed off on any of this.

25 Q. Is there any other evidence you believe, other

Page 227

1 than what we have discussed today, leading up to it that  
2 you believe supports your contention that you were laid  
3 off because of your race?

4 A. No.

5 Q. Do you believe you were laid off because of  
6 your gender?

7 A. Yes.

8 Q. And is it the same evidence like what we've  
9 talked about, the events leading up to your termination  
10 that you believe support your claim?

11 A. Yes.

12 Q. And is it your contention you were laid off in  
13 retaliation for taken FMLA leave?

14 A. Yes.

15 Q. And again, we discussed the events leading up  
16 to support your evidence?

17 A. Yes.

18 Q. Any more?

19 A. No.

20 Q. And you contend that you were laid off in  
21 retaliation for complaining to Ms. Hubbard, correct?

22 A. Ms. Hubbard.

23 Q. And then also the hotline?

24 A. Yes, and Patti.

25 Q. And again, all of that was based upon the

Page 228

1 events we have discussed here today?

2 A. Yes.

3 Q. Is there any other evidence you believe  
4 supports your contention that you were laid off in  
5 retaliation for your complaints?

6 A. No, not that I can recall.

7 (Exhibit 23 was marked.)

8 Q. (BY MS. GRANT) I'm handing you what's been  
9 marked as Exhibit 23.

10 Do you recognize Exhibit 23?

11 A. It's an application for employment.

12 Q. And is that your electronic signature at the  
13 back, or do you recall electronically signing an  
14 employment application at the beginning of your  
15 employment?

16 A. I can't recall.

17 Q. Do you have any evidence to refute that this is  
18 not your application for employment to Siemens?

19 A. No.

20 Q. And you touched on this earlier, but you had  
21 been working for Rolls-Royce, which was then purchased  
22 by Siemens?

23 A. Right.

24 Q. That's when you hired and became a Siemens  
25 employee?

57 (Pages 225 to 228)

HARRIET MARIE LANE - 11/20/2019

Page 229	Page 231
<p>1 A. Yes.</p> <p>2 Q. So you began your employment with Siemens on</p> <p>3 October 8, 2014?</p> <p>4 A. No, that was more like November, November 2014.</p> <p>5 Q. When Siemens purchased Rolls-Royce, you had to</p> <p>6 still apply for a position within Siemens, correct?</p> <p>7 A. Yes.</p> <p>8 Q. Which is Exhibit 23?</p> <p>9 A. Yes.</p> <p>10 Q. If you look at the bottom, it says the</p> <p>11 "business process improvement specialist"?</p> <p>12 A. Where are we at?</p> <p>13 Q. The bottom-left corner.</p> <p>14 A. Yes, that was my position when I applied.</p> <p>15 Q. And did you understand when you submitted this</p> <p>16 that you were verifying that the information in your</p> <p>17 application was truthful and accurate to the best of</p> <p>18 your knowledge?</p> <p>19 A. Yes.</p> <p>20 Q. And do you contend that the information in here</p> <p>21 is truthful and accurate to the best of your knowledge?</p> <p>22 MR. BAIL: Look at it.</p> <p>23 A. So this is just saying the position I had at</p> <p>24 the time when I applied, this one here and then -- yes.</p> <p>25 (Exhibit 24 was marked.)</p>	<p>1 MR. BAIL: Any legal reason.</p> <p>2 MS. GRANT: Correct. Any legal reason.</p> <p>3 Q. (BY MS. GRANT) And how long after this did you</p> <p>4 begin your employment?</p> <p>5 A. I started around November, November.</p> <p>6 Q. When you applied, did you interview for the</p> <p>7 position?</p> <p>8 A. Yes.</p> <p>9 Q. Who did you interview with?</p> <p>10 A. Ann Maslyk and Ayana Browne.</p> <p>11 Q. And do you know who made the decision to hire</p> <p>12 you?</p> <p>13 A. Ayana Browne and Ann Maslyk.</p> <p>14 Q. And with respect to your termination as</p> <p>15 reflected in Exhibit 21, your date of termination was</p> <p>16 October 13, 2017?</p> <p>17 A. Yes.</p> <p>18 Q. At the time you began your employment with</p> <p>19 Siemens, did you go through an orientation?</p> <p>20 A. Did I? I can't remember.</p> <p>21 Q. Did you receive copies of company policies?</p> <p>22 A. Yes.</p> <p>23 (Exhibit 25 was marked.)</p> <p>24 Q. (BY MS. GRANT) I'm handing you what's been</p> <p>25 marked as Exhibit 25. Exhibit 25 is the electronic</p>
Page 230	Page 232
<p>1 Q. (BY MS. GRANT) I'm handing you Exhibit 24. Do</p> <p>2 you recall seeing Exhibit 24?</p> <p>3 A. Yes.</p> <p>4 Q. Exhibit 24 is the offer letter you received</p> <p>5 after you submitted the application?</p> <p>6 A. Yes.</p> <p>7 Q. And it's dated October 20, 2014. And according</p> <p>8 to Exhibit 24, you were offered a role or employment as</p> <p>9 a senior business process specialist with Siemens; is</p> <p>10 that correct?</p> <p>11 A. Yes.</p> <p>12 Q. And you were at the Houston office location,</p> <p>13 correct?</p> <p>14 A. Yes.</p> <p>15 Q. And did you understand with this offer letter</p> <p>16 that you were being offered employment at will?</p> <p>17 A. Yes.</p> <p>18 Q. And do you understand that that means that you</p> <p>19 could terminate or end your employment with Siemens for</p> <p>20 any reason at any time?</p> <p>21 A. Yes.</p> <p>22 Q. And vice versa, Siemens could decide to</p> <p>23 terminate their employment relationship with you for any</p> <p>24 reason at any time?</p> <p>25 A. Yes.</p>	<p>1 signature summary for you. Do you recall receiving</p> <p>2 electronic copies of various Siemens policies at the</p> <p>3 beginning of your employment?</p> <p>4 A. Probably so, yes.</p> <p>5 Q. And if you turn to the second page, there is a</p> <p>6 chart that lists a number of them, and it has the date</p> <p>7 October 22, 2014.</p> <p>8 That would have been the beginning of your</p> <p>9 employment with Siemens?</p> <p>10 A. Okay.</p> <p>11 Q. Is that correct?</p> <p>12 A. Okay. So remember, I didn't start until like</p> <p>13 November.</p> <p>14 Q. You didn't start until November?</p> <p>15 A. Right. That's when I started working. That</p> <p>16 was like the offer letter that you are looking at on</p> <p>17 Exhibit 24.</p> <p>18 Q. Do you have any evidence or are you refuting</p> <p>19 that you acknowledged receiving these policies on or</p> <p>20 around October 22, 2014?</p> <p>21 A. No.</p> <p>22 Q. And I believe you said this a couple minutes</p> <p>23 ago, but you are not refuting that you received copies</p> <p>24 of these policies?</p> <p>25 A. No.</p>

58 (Pages 229 to 232)

HARRIET MARIE LANE - 11/20/2019

Page 233

1 (Exhibit 26 was marked.)  
 2 Q. (BY MS. GRANT) And I'm going through just a  
 3 list of some of these policies.  
 4 Handing you what's been marked as  
 5 Exhibit 26. Do you recognize Exhibit 26?  
 6 A. Yes. This is -- let's see here. Harassment  
 7 Free. I have seen these.  
 8 Q. And so you understood that Siemens had a policy  
 9 prohibiting discrimination with respect to race, color,  
 10 gender, age and other protected bases?  
 11 A. Yes.  
 12 Q. And you also understood that Siemens had a  
 13 policy that prohibited any form of harassment based on  
 14 protected characteristics?  
 15 A. Yes.  
 16 Q. And you understood that you were encouraged and  
 17 the company had a procedure by which you could raise any  
 18 complaints of harassment and discrimination or  
 19 retaliation to the company, correct?  
 20 A. Yes.  
 21 Q. And so along those same lines, you understand  
 22 the company prohibited retaliation for raising  
 23 complaints of harassment and discrimination?  
 24 A. Right, yes.  
 25 Q. And you understood that pursuant to that

Page 234

1 policy, they had a number of avenues for you to raise  
 2 complaints, your manager, human resources, the hotline  
 3 we discussed already?  
 4 A. Yes.  
 5 (Exhibit 27 was marked.)  
 6 Q. (BY MS. GRANT) I'm giving you what's been  
 7 marked as Exhibit 27. Do you recognize Exhibit 27?  
 8 A. No. I mean, I'm sure I have looked at it at  
 9 one point in time.  
 10 Q. Exhibit 27 is the open communication policy.  
 11 And again, did you understand that Siemens had a policy  
 12 that encouraged employees to resolve their work-related  
 13 issues through their management chain?  
 14 A. Yes.  
 15 Q. And you also understood that employees who  
 16 faced serious problems could -- such as harassment and  
 17 discrimination, could consult with human resources?  
 18 A. Yes.  
 19 (Exhibit 28 was marked.)  
 20 Q. (BY MS. GRANT) I'm handing you Exhibit 28.  
 21 Have you seen a copy of 28 before?  
 22 A. Yes.  
 23 Q. And 28 is the recording devices policy?  
 24 A. Yes.  
 25 Q. And did you understand that Siemens had a

Page 235

1 policy that prohibited certain recording or recording  
 2 conversations with Siemens' employees or other visitors  
 3 on Siemens' facilities?  
 4 A. Yes.  
 5 Q. And did you understand that that applied to all  
 6 communications except with respect to anything protected  
 7 or concerted under Section 7 of the NLRA?  
 8 A. Yes.  
 9 Q. And you understand that a violation of this  
 10 policy could result in disciplinary action up to and  
 11 including termination?  
 12 A. Yes.  
 13 (Exhibit 29 was marked.)  
 14 Q. (BY MS. GRANT) Handing you what's been marked  
 15 Exhibit 29. Exhibit 29 is Standards of Conduct.  
 16 Have you seen this before?  
 17 A. Yes, I have.  
 18 Q. And you are aware that under Siemens' policies  
 19 there were certain levels of violations? For example,  
 20 Level 1, that was types of conduct that were so serious  
 21 they would result in immediate termination?  
 22 A. Okay.  
 23 Q. And did you understand there was also a group  
 24 where certain conduct could result in some sort of  
 25 termination up to and including -- disciplinary action

Page 236

1 up to and including termination?  
 2 A. Yes.  
 3 Q. Did you receive a copy of this at the beginning  
 4 of your employment?  
 5 A. I may have. I can't recall right off.  
 6 (Exhibit 30 was marked.)  
 7 Q. (BY MS. GRANT) I'm handing you what's been  
 8 marked as Exhibit 30, which is the Performance  
 9 Improvement Process. And as we have discussed today,  
 10 you were issued a PIP, correct?  
 11 A. Yes, I was.  
 12 Q. And did you understand that there was a policy  
 13 governing issuing a PIP for employees?  
 14 A. Yes.  
 15 Q. Do you allege -- I understand you disagree with  
 16 the reasons for the PIP, but do you contest or believe  
 17 that Siemens violated its policy with respect to issuing  
 18 a PIP?  
 19 A. Yes.  
 20 Q. I understand the reasons you disagree with --  
 21 A. But if we go by the policy, I believe they did  
 22 violate their policy.  
 23 Q. And how so?  
 24 A. So it talks about -- you know, so I didn't  
 25 receive the PIP until after FMLA -- I mean, when I

59 (Pages 233 to 236)

HARRIET MARIE LANE - 11/20/2019

Page 237	Page 239
<p>1 returned from FMLA. It says, Step 1, verbal 2 counseling/coaching, never received any of that. Never 3 received written counseling. So those are just some of 4 the examples there. 5 Q. And so you contest they didn't follow the 6 progressive steps outlined in this policy? 7 A. Yes. 8 Q. But did you understand that this also -- policy 9 also states you don't have to follow the progressive 10 steps? 11 A. Right, but you need to have, you know, 12 substantiating evidence. Right? 13 Q. Then that goes back to you disagree with the -- 14 A. Right. Because they put on here untimely 15 processing of expenses, and they use an example that 16 occurred when I was on FMLA. So their allegations were 17 not correct in here. 18 Q. And that's why you believe this was issued in 19 violation? 20 A. Yes. 21 (Exhibit 31 was marked.) 22 Q. (BY MS. GRANT) I'm handing you what's been 23 marked as Exhibit 31, which is the Reduction in Force 24 Process. 25 Did you understand that Siemens had</p>	<p>1 Exhibit 32 during your employment? 2 A. No. 3 Q. So you were unaware of the Business Conduct 4 Guidelines? 5 A. I'm sure they existed but they don't just give 6 it to you. You've got to go out there and research it. 7 And they'll probably set up some computer-based 8 training. 9 Q. Like on the intranet? 10 A. Yes. You do it at leisure. 11 (Exhibit 33 was marked.) 12 Q. (BY MS. GRANT) I have given you what's been 13 marked as Exhibit 33. This is an Employee Patent and 14 Secrecy Agreement. 15 Do you recall at the beginning of your 16 employment signing an agreement with respect to Siemens' 17 non -- excuse me; confidential information and trade 18 secrets? 19 A. I may have but I don't recall right off, but 20 I'm sure I knew about this. 21 Q. And were you aware that as an employee of 22 Siemens you were -- you would agree to not disclose any 23 company confidential information or trade secrets? 24 A. Yes. 25 Q. And so you knew that that was part of your</p>
Page 238	Page 240
<p>1 policies and procedures regarding the reduction in 2 force? 3 A. Okay. 4 Q. And did you understand -- we have discussed 5 this -- you were laid off as part of a reduction in 6 force? 7 A. Yes. 8 Q. And did you understand that as part of this 9 policy, it states that Human Resources would be involved 10 in and would review decisions with respect to reductions 11 in force? 12 A. Okay. Yes. 13 Q. And at the time who was the Human Resources? 14 A. Toni Horton. 15 Q. And so do you contend that Toni Horton allowed 16 you to be selected for layoff as part of a reduction in 17 force because of your race? 18 A. No. Again, no. 19 Q. But you are aware that she would have been 20 involved to review the process or your selection for 21 reduction of force? 22 A. Right. Like I told you earlier I -- yes. 23 (Exhibit 32 was marked.) 24 Q. (BY MS. GRANT) Handing you what's been marked 25 Exhibit 32. Do you recall receiving a copy of</p>	<p>1 duty, not to disclose that outside of the company, 2 correct? 3 A. Yes. 4 Q. And did you understand that at the time of your 5 termination or your layoff you were required to return 6 any company information and property back to the 7 company? 8 A. Yes. 9 Q. And is it your position that you returned all 10 company information and documents in your possession? 11 A. Yes. 12 (Exhibits 34 - 38 were marked.) 13 Q. (BY MS. GRANT) Did you understand that 14 violating that policy could lead to your termination? 15 A. I'm sure. 16 Q. I'm handing you a grouping of documents, 17 Exhibits 34 through 38. 18 Do you recognize the documents forming 19 Exhibits 34 through 38? 20 A. No. Looks like just emails that were sent to 21 my email, my personal email. 22 Q. So these exhibits are all where you would email 23 your personal email address hmlane33@yahoo.com? 24 A. Yes. 25 Q. And in these emails there is a list of</p>

60 (Pages 237 to 240)

HARRIET MARIE LANE - 11/20/2019

Page 241	Page 243
<p>1 documents here, and you were forwarding those documents</p> <p>2 described here to your personal email address, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And the list of documents here were all Siemens</p> <p>5 documents?</p> <p>6 A. Okay.</p> <p>7 Q. By looking at the names of these documents,</p> <p>8 would any of this contain information regarding Siemens'</p> <p>9 operations or Siemens' businesses?</p> <p>10 A. No.</p> <p>11 Q. Why did you forward all of these documents to</p> <p>12 your personal email?</p> <p>13 A. Because going back to what we talked about</p> <p>14 earlier, when I filed complaints about being</p> <p>15 discriminated against because of my race and my gender</p> <p>16 and the retaliation, you know, I didn't have any -- use</p> <p>17 this as supporting evidence in this case we needed to do</p> <p>18 a lawsuit.</p> <p>19 Q. Do you still have all of these documents in</p> <p>20 your possession?</p> <p>21 A. I don't think, no. Not to my knowledge.</p> <p>22 Q. At the time you filed this lawsuit, did you</p> <p>23 have them in your possession?</p> <p>24 A. Not that I recall. I can't remember right now.</p> <p>25 Like my résumé, of course, I have my résumé, yes.</p>	<p>1 documents, even if it was a document that was actually</p> <p>2 sent to me. Okay? So -- I mean, that I sent to myself.</p> <p>3 Q. Do you have any -- I guess do you contest that</p> <p>4 you sent these documents to yourself?</p> <p>5 A. I mean, I would have to -- I mean, this is just</p> <p>6 a list. I would have to see, you know, that I actually</p> <p>7 sent it to myself. I mean, this could be -- it doesn't</p> <p>8 mean it's necessarily a document that was sent. It</p> <p>9 could be just an email, you know. So I don't know -- I</p> <p>10 don't know the contents of the information because I</p> <p>11 don't have it in my possession right now or access.</p> <p>12 Q. What happened to all of the documents that you</p> <p>13 forwarded to yourself during your employment?</p> <p>14 A. Some of them just automatically just deleted on</p> <p>15 their own after a time or I purged them myself.</p> <p>16 Q. When did you purge them?</p> <p>17 A. I don't know. That's what I'm saying.</p> <p>18 Q. Was it before or after your termination?</p> <p>19 A. What, the documents?</p> <p>20 Q. When you purged the documents -- I understand</p> <p>21 you don't know when exactly, but when you purged the</p> <p>22 documents in your personal email, did that happen before</p> <p>23 or after your termination?</p> <p>24 A. Some probably happened before and after.</p> <p>25 Q. Had you filed your EEOC charge at the time you</p>
Page 242	Page 244
<p>1 Q. What about -- let's look to -- I didn't write</p> <p>2 the numbers on mine. It's the one that's Bates</p> <p>3 labeled 1108.</p> <p>4 MR. BAIL: It's 37.</p> <p>5 MS. GRANT: Thank you.</p> <p>6 Q. (BY MS. GRANT) There's a document titled</p> <p>7 "DNV-GL Audit Open Topics." What would that -- I</p> <p>8 understand you don't have it with you. I saved us</p> <p>9 because it would have been a large stack.</p> <p>10 Based upon the description, does that</p> <p>11 refresh your recollection as far as to what that</p> <p>12 document might have been?</p> <p>13 A. No, I'm not sure what that is.</p> <p>14 Q. There is one here that says "I-Docs Training"</p> <p>15 on this list.</p> <p>16 Do you see that that?</p> <p>17 A. Yes.</p> <p>18 Q. Does that refresh your recollection as to what</p> <p>19 that document would have been?</p> <p>20 A. No.</p> <p>21 Q. Do you know what "Procedure Audits for FY17"</p> <p>22 would have been?</p> <p>23 A. Probably just what it says. I don't remember</p> <p>24 because I don't have the documents with me. I don't</p> <p>25 have them in my possession. I no longer have the</p>	<p>1 purged the documents you sent to yourself?</p> <p>2 A. I'm sure, yeah.</p> <p>3 Q. Did you purge them before or after you filed</p> <p>4 this lawsuit?</p> <p>5 A. I can't recall.</p> <p>6 Q. Did you ever inform your attorney that you had</p> <p>7 all of these -- forwarded these documents to yourself?</p> <p>8 A. That I had forwarded emails to myself, yes.</p> <p>9 But it's not documents; it's emails. You know, like me</p> <p>10 conversations back and forth.</p> <p>11 Q. That would have been attached?</p> <p>12 A. Some may have. I don't know. I don't want to</p> <p>13 lie; I don't want to guess. I'm under oath.</p> <p>14 Q. But you don't have any of these emails in your</p> <p>15 possession anymore?</p> <p>16 A. No.</p> <p>17 Q. Because either they deleted automatically or</p> <p>18 you purposefully purged them at some point in time?</p> <p>19 A. Yes.</p> <p>20 Q. Did you inform anyone at Siemens that you were</p> <p>21 forwarding all of those emails and documents to</p> <p>22 yourself?</p> <p>23 A. No.</p> <p>24 Q. And the sole reason why you were doing that was</p> <p>25 as evidence for your complaints, correct?</p>

61 (Pages 241 to 244)



HARRIET MARIE LANE - 11/20/2019

Page 245	Page 247
<p>1 A. Yes. Yes. 2 (Exhibit 39 was marked.) 3 Q. (BY MS. GRANT) I'm handing you what's been 4 marked as Exhibit 39. Do you recognize Exhibit 39? 5 A. Yes. 6 Q. Exhibit 39 is your charge of discrimination 7 that you filed with the Texas Workforce Commission? 8 A. Okay. 9 Q. Do you recognize Exhibit 39? 10 A. Yes. 11 Q. And is that your signature down at the bottom 12 left-hand corner? 13 A. Yes. 14 Q. Did you understand that by signing this you 15 were declaring under penalty of perjury that the 16 information in here was true and correct to the best of 17 your knowledge? 18 A. Yes. 19 Q. And you signed it January 17, 2018? 20 A. Yes. 21 Q. So approximately three months after your 22 termination? 23 A. Yes. 24 Q. And according to this charge, if you go pretty 25 much in the exact middle, you filed a charge of</p>	<p>1 that you contest form the basis of your claims of 2 discrimination and retaliation? 3 A. Yes, we have discussed them all that I can 4 recall. 5 (Exhibit 40 was marked.) 6 Q. (BY MS. GRANT) I'm handing you what's been 7 marked as Exhibit 40. Exhibit 40 do you recognize? 8 A. Yes. 9 Q. And this purports to be an amended charge of 10 discrimination with the Texas Workforce Commission? 11 A. Yes. 12 Q. Is that your signature on the bottom right-hand 13 corner? 14 A. Yes. 15 Q. And you signed that on August 2, 2018? 16 A. Yes. 17 Q. And here, according to this, you had filed this 18 in order to amend your EEOC charge to add discrimination 19 based on sex? 20 A. Yes. 21 Q. And you note you forgot to check the box for 22 sex on the first EEOC charge you filed, which was 23 Exhibit 39? 24 A. Yes. 25 Q. How did you send this to the EEOC?</p>
Page 246	Page 248
<p>1 discrimination based on you checked race, retaliation, 2 color and disability? 3 A. Yes. 4 Q. And what disability were you contending formed 5 the basis of your claim? 6 A. So the FMLA. 7 Q. Are you contending -- I understand you have an 8 FMLA retaliation claim, but are you contending you were 9 discriminated on the basis of a disability? 10 A. Right -- 11 MR. BAIL: No. It's no. 12 A. No. 13 Q. (BY MS. GRANT) When you say "disability," 14 you're referring to your FMLA leave? 15 A. Yes. 16 Q. Okay. 17 A. Yes. 18 Q. That's a better way to ask it. 19 And it says here next to that for the 20 dates of discrimination, you have March 2016 to 21 October 13, 2017. 22 A. Yes. 23 Q. So up to your termination? 24 A. Yes. 25 Q. And have we discussed all of the items today</p>	<p>1 A. That was through my attorney. 2 Q. And to the extent the EEOC does not have any 3 record of receiving this, do you have a record that they 4 received that and acknowledged it? 5 A. Yes. 6 (Exhibit 41 was marked.) 7 Q. (BY MS. GRANT) I'm handing you what's been 8 marked as Exhibit 41. 9 And going back, we have already discussed 10 all of the allegations that form your claim of sex 11 discrimination? 12 A. Yes. 13 Q. Exhibit 41 is your notice of right to sue. Do 14 you recall receiving Exhibit 41? 15 A. Yes. 16 Q. And by issuing this, the EEOC was informing you 17 that it was terminating its investigation of the charge? 18 A. Yes. 19 Q. And the reason was that more than 180 days had 20 passed? 21 A. Okay. Yes. 22 Q. To your knowledge, did you request this be 23 issued? 24 A. My attorney handled all this. 25 Q. So you have no personal knowledge regarding</p>

62 (Pages 245 to 248)

HARRIET MARIE LANE - 11/20/2019

Page 249

1 what triggered the issue of that?

2 A. No.

3 MS. GRANT: I told you, rapid fire.

4 MR. BAIL: I appreciate it.

5 (Exhibit 42 was marked.)

6 Q. (BY MS. GRANT) I'm handing you what's been

7 marked as Exhibit 42. Exhibit 42 is your amended

8 complaint, which is the live pleadings in this action.

9 Did you review a copy of your lawsuit

10 before it was filed?

11 A. Yes.

12 Q. And did you review the amended complaint before

13 it was filed?

14 A. Yes.

15 Q. And you understand that you are asserting a

16 number of claims, first being race discrimination?

17 A. Yes.

18 Q. Have we discussed all your allegations of race

19 discrimination today?

20 A. That I can recall.

21 Q. You also allege discrimination based on color?

22 A. Yes.

23 Q. And have we discussed the allegations here with

24 respect to your claim of color discrimination?

25 A. Yes.

Page 250

1 Q. You also are alleging claims of gender

2 discrimination, correct?

3 A. Yes.

4 Q. And have we discussed all the instances of

5 gender discrimination that are forming the basis of your

6 claim here today?

7 A. Yes.

8 Q. You are also alleging retaliation, correct?

9 A. Yes.

10 Q. And that would be retaliation with respect to

11 your FMLA claim, correct?

12 A. Yes.

13 Q. And your complaints to Human Resources, being

14 Toni Horton, Linda Hubbard, Patti Davis?

15 A. Yes.

16 Q. And your hotline complaint?

17 A. Yes.

18 Q. Have we discussed all of the bases of what you

19 allege you suffered retaliation, meaning the actual acts

20 of retaliation?

21 A. That I can recall, yes.

22 Q. And you also are alleging hostile work

23 environment or harassment based on race, correct?

24 A. Yes.

25 Q. And have we discussed all the instances of

Page 251

1 harassment that support your claim?

2 A. Yes, that I can recall.

3 Q. The next is hostile work environment based on

4 color?

5 A. Yes.

6 Q. And have we discussed all the instances of your

7 harassment that support your claim of hostile work

8 environment based on color?

9 A. Yes.

10 Q. Next, hostile work environment based on gender?

11 A. Yes.

12 Q. And have we discussed all the instances of

13 gender harassment that form the basis of your claim?

14 A. Yes, that I can recall.

15 Q. If you look to -- are you alleging any claim

16 that you were denied FMLA leave?

17 A. No.

18 Q. With respect to the FMLA leave that you believe

19 you were retaliated for, that was one from February

20 through May 2017, correct?

21 A. Yes.

22 Q. Turning to page 7, which discusses the damages

23 you are seeking in this lawsuit.

24 A. In Exhibit 42?

25 Q. Yes.

Page 252

1 A. What was the number again? I'm sorry.

2 Q. Page 7. And first, how much money are you

3 seeking in this lawsuit?

4 A. That's what I'm going to have to talk to my

5 attorney about.

6 Q. If I just had to ask you here what you are

7 looking for?

8 A. What do you mean, as far as a monetary amount?

9 Q. Yes.

10 A. Back pay, you know, the pain and suffering. So

11 that's what I'm looking for.

12 Q. Now, with respect to back pay, how long do you

13 contend you would have remained employed with Siemens

14 had you not been laid off?

15 A. I would still be employed with them today.

16 Q. And on what do you base that conclusion?

17 A. Because of my loyalty, my performance.

18 Remember, altogether that would have been 17 years. You

19 know, you go from 2001, I was laid off in 2017. We were

20 bought out in October of 2014 but -- so I would have

21 been still with them to this day. That's a global

22 company. I could have had other promotions. Remember,

23 I moved here from Indianapolis, got promoted. So I

24 would have been still employed.

25 (Exhibit 43 was marked.)

63 (Pages 249 to 252)

HARRIET MARIE LANE - 11/20/2019

Page 253	Page 255
<p>1 Q. (BY MS. GRANT) I'm handing you what's been</p> <p>2 marked as Exhibit 43. Exhibit 43 -- remember we</p> <p>3 discussed initial disclosures, the information the</p> <p>4 parties are required to provide?</p> <p>5 A. Yes.</p> <p>6 Q. One of the bits of information you are required</p> <p>7 to provide to me is a calculation of your damages. And</p> <p>8 so on pages 3 to 4, you walk through your back pay. And</p> <p>9 if you turn to page 4 -- it literally runs from page 3</p> <p>10 to 4, it says your approximate back pay is somewhere</p> <p>11 close to 40 to \$50,000?</p> <p>12 MR. BAIL: That was as of July 1.</p> <p>13 A. Yes, as of July 1, 2019.</p> <p>14 Q. (BY MS. GRANT) So you are -- obviously, that</p> <p>15 will go up the longer it goes?</p> <p>16 A. Yes.</p> <p>17 Q. Do you have any background in economics or</p> <p>18 finance?</p> <p>19 A. Other than education?</p> <p>20 Q. What education did you receive in finance and</p> <p>21 economics?</p> <p>22 A. My business, my MBA.</p> <p>23 Q. And what was your specialty or focus with your</p> <p>24 MBA?</p> <p>25 A. So that was business, applied management.</p>	<p>1 A. Oh, to get my Ph.D.? Not at the time, or</p> <p>2 doctorate, no.</p> <p>3 Q. Once you were able to end your employment, were</p> <p>4 you able to obtain health insurance from another source?</p> <p>5 A. Not right away, no.</p> <p>6 Q. Do you have health insurance today?</p> <p>7 A. Yes.</p> <p>8 Q. Do you have any knowledge of the value of the</p> <p>9 benefits that you received from Siemens?</p> <p>10 A. I don't know that right now. That's, like I</p> <p>11 said, you know...</p> <p>12 Q. You also claim you are seeking compensatory</p> <p>13 damages. Other than back pay and back wages and lost</p> <p>14 benefits, what other sort of compensatory damages are</p> <p>15 you seeking?</p> <p>16 A. That's what I can think of right now.</p> <p>17 MR. BAIL: Compensatory includes emotional</p> <p>18 pain and suffering.</p> <p>19 A. Yeah, the emotional pain and suffering.</p> <p>20 Q. (BY MS. GRANT) And so with respect to</p> <p>21 emotional pain and suffering, we have talked about you</p> <p>22 took FMLA leave for stress?</p> <p>23 A. Yes.</p> <p>24 Q. And did that manifest itself in any physical</p> <p>25 conditions?</p>
Page 254	Page 256
<p>1 Q. And did you take any courses on the lost value</p> <p>2 or future wages?</p> <p>3 A. And then also my paralegal studies. That's</p> <p>4 what my associate's is in.</p> <p>5 Q. You have an associate's in paralegal studies?</p> <p>6 A. Yes.</p> <p>7 Q. So are you telling me that because of that, you</p> <p>8 are familiar with how to calculate damages in legal</p> <p>9 matters such as back pay and front pay?</p> <p>10 A. Yes.</p> <p>11 Q. With respect you also said that you were</p> <p>12 seeking lost benefits?</p> <p>13 A. Yes.</p> <p>14 Q. And what benefit did you receive while you were</p> <p>15 employed with Siemens?</p> <p>16 A. 401(k), a match. I could make contributions;</p> <p>17 they matched it. My health care, my life insurance. If</p> <p>18 I wanted to go back for tuition reimbursement or to get</p> <p>19 more additional education, they would pay for that.</p> <p>20 Q. At the time of your termination, did you have</p> <p>21 any plans or intentions to go to school and use the</p> <p>22 tuition reimbursement benefits?</p> <p>23 A. Yes. For additional certifications for</p> <p>24 professional development, yes.</p> <p>25 Q. What about any university education?</p>	<p>1 A. Right. They had me on medications for, you</p> <p>2 know, what I was going through. Like I couldn't sleep</p> <p>3 and anxiety. Yeah.</p> <p>4 Q. Other than lack of sleep and anxiety, what</p> <p>5 other physical symptoms were you experiencing because of</p> <p>6 your stress?</p> <p>7 A. Lack of concentration and memory. I mean, all</p> <p>8 that you would have to go to the doctor's report for</p> <p>9 that and psychiatrist and my therapist. I'm not -- I</p> <p>10 can't remember everything right now.</p> <p>11 Q. Are you still suffering anxiety?</p> <p>12 A. No.</p> <p>13 Q. Are you still suffering the lack of</p> <p>14 concentration?</p> <p>15 A. No.</p> <p>16 Q. When did you stop experiencing the lack of</p> <p>17 concentration?</p> <p>18 A. I can't remember the exact dates.</p> <p>19 Q. And when did you stop suffering from anxiety?</p> <p>20 A. That will all be in medical records. I can't</p> <p>21 remember exact dates, sorry.</p> <p>22 Q. Any other physical manifestations that you have</p> <p>23 experienced because of the mental anguish that you</p> <p>24 suffered as a result of Siemens?</p> <p>25 A. Not that I can recall.</p>

64 (Pages 253 to 256)

HARRIET MARIE LANE - 11/20/2019

Page 257	Page 259
<p>1 Q. And you stated medications. Do you recall any</p> <p>2 of those medications you took?</p> <p>3 A. No. I provided that list to you guys.</p> <p>4 Q. When did you first begin to experience these</p> <p>5 symptoms?</p> <p>6 A. That was back in 2016.</p> <p>7 Q. Did you stop experiencing them before or after</p> <p>8 your termination?</p> <p>9 A. It was still going on. I can't remember</p> <p>10 exactly when it stopped. Because I got terminated in</p> <p>11 October of 2017. I can't remember when he released me</p> <p>12 or she released me or they released me.</p> <p>13 Q. Are you still seeking treatment with your</p> <p>14 psychiatrist or therapist?</p> <p>15 A. Not with the psychiatrist, no.</p> <p>16 Q. But with your therapist?</p> <p>17 A. Occasionally.</p> <p>18 Q. When did you first start seeing a therapist?</p> <p>19 A. I want to say I started seeing her in December</p> <p>20 or -- December I want to say of 2016.</p> <p>21 Q. And when did you start seeing your</p> <p>22 psychiatrist?</p> <p>23 A. So that was right after the layoff -- no. That</p> <p>24 was when I went on medical leave. That was February</p> <p>25 2017.</p>	<p>1 and Siemens for a very long time. I mean, those are</p> <p>2 reputable companies. So I haven't been able to get a</p> <p>3 job, full-time job.</p> <p>4 Q. And you contend that's because Siemens laid you</p> <p>5 off?</p> <p>6 A. Right.</p> <p>7 Q. In the energy industry it's not uncommon for</p> <p>8 people to be laid off in their jobs. Do you agree?</p> <p>9 A. Right.</p> <p>10 Q. But you still contest that your layoff somehow</p> <p>11 had effects on your professional reputation?</p> <p>12 A. Yes.</p> <p>13 Q. Have you ever been -- have you had anybody tell</p> <p>14 you that you aren't able to find a job because you were</p> <p>15 laid off at Siemens?</p> <p>16 A. No.</p> <p>17 Q. You are also seeking punitive and liquidated</p> <p>18 damages?</p> <p>19 A. Yes.</p> <p>20 Q. Is it your contention that Siemens acted</p> <p>21 maliciously towards you?</p> <p>22 A. Yes.</p> <p>23 Q. On what do you base this assertion that Siemens</p> <p>24 acted maliciously towards you?</p> <p>25 A. Based on what we talked about, the retaliation,</p>
Page 258	Page 260
<p>1 Q. Have you experienced any other physical</p> <p>2 symptoms that you contend form your pain and suffering</p> <p>3 damages?</p> <p>4 A. Not that I recall right now.</p> <p>5 Q. According to your claims, you also said you are</p> <p>6 seeking damages for humiliation?</p> <p>7 A. Yes.</p> <p>8 Q. Are those damages in addition to the emotional</p> <p>9 pain and suffering we have already discussed?</p> <p>10 A. Yes.</p> <p>11 Q. Have you suffered or experienced any physical</p> <p>12 symptoms of humiliation other than those that we</p> <p>13 discussed?</p> <p>14 A. Remember the depression, all that comes with</p> <p>15 it. It's an emotional thing.</p> <p>16 Q. Were you diagnosed with depression or you had</p> <p>17 said due to stress?</p> <p>18 A. It's in the medical records. I don't know the</p> <p>19 medical term. I would be making up stuff at this point.</p> <p>20 Q. You are also seeking damages for -- damage to</p> <p>21 professional reputation?</p> <p>22 A. Yes.</p> <p>23 Q. What damages have you experienced due to your</p> <p>24 professional reputation?</p> <p>25 A. Being the fact that -- so I was at Rolls-Royce</p>	<p>1 the PIP, the things we have talked about throughout the</p> <p>2 day.</p> <p>3 Q. The actions that form the basis of your claim</p> <p>4 also evidence that they were malicious?</p> <p>5 A. Yes.</p> <p>6 Q. Do you believe that Siemens acted with any</p> <p>7 reckless indifference towards you?</p> <p>8 A. Yes.</p> <p>9 Q. And on what do you base your contention that</p> <p>10 they acted with reckless indifference towards you?</p> <p>11 A. Going back to what we've talked about.</p> <p>12 Q. Everything we've talked about here today?</p> <p>13 A. Yes.</p> <p>14 Q. What evidence do you have that Siemens did not</p> <p>15 act in good faith?</p> <p>16 A. We looked at some of the information today. We</p> <p>17 looked at the inaccurate information on the PIP, as far</p> <p>18 as the untimely processing of expenses. I mean, we've</p> <p>19 looked at them not communicating to me what my new role</p> <p>20 was going to be as far as changing me from a senior</p> <p>21 business process specialist to an internal auditor.</p> <p>22 Them telling me that the reason why they laid me off had</p> <p>23 something to do with the sale of the Springfield</p> <p>24 location. Those are just a few of the examples.</p> <p>25 And then Mark Shipley allowing for -- or</p>

65 (Pages 257 to 260)

HARRIET MARIE LANE - 11/20/2019

Page 261

1 his inaction for the retaliation and the -- you know,  
 2 all the treatment that I was getting from Bill Piatt.  
 3 You know, those are just some of the examples. And it's  
 4 more than what we have talked about. Then all that, you  
 5 know, caused -- you know, affected my health.  
 6 Q. Did you ever complain personally to Mark  
 7 Shipley about Bill Piatt's behavior?  
 8 A. No. That was gone -- no.  
 9 Q. And, also, you are seeking attorney's fees?  
 10 A. Yes.  
 11 Q. When did you first contemplate filing a lawsuit  
 12 against Siemens?  
 13 A. I can't remember exactly when.  
 14 Q. When did you first contact your attorney?  
 15 A. I have to look at records. I want to say that  
 16 was in, what, 2017.  
 17 Q. Have you paid any attorney bills?  
 18 A. Have I? No.  
 19 Q. Are you aware of what your fee arrangement is  
 20 with your attorney?  
 21 A. Yes.  
 22 Q. Is it a contingency fee arrangement?  
 23 A. Yes.  
 24 Q. You are also -- finally, you are seeking costs?  
 25 A. Costs?

Page 262

1 Q. Meaning the costs associated with filing the  
 2 lawsuit other than his fees.  
 3 A. Yes.  
 4 Q. Do you have any knowledge about how much in  
 5 costs you or your attorney have paid to this point?  
 6 A. Not right now.  
 7 MR. BAIL: Not much.  
 8 Q. (BY MS. GRANT) Have you paid any bills that  
 9 include costs?  
 10 A. No.  
 11 MS. GRANT: I'll pass the witness.  
 12 MR. BAIL: I pass the witness. Reserve  
 13 questioning for trial.  
 14 MS. GRANT: Thank you.  
 15 (The deposition concluded at 2:59 p.m.)  
 16  
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 24  
 25

Page 263

1 CHANGES AND SIGNATURE  
 2 WITNESS NAME: HARRIET MARIE LANE  
 3 DATE OF DEPOSITION: NOVEMBER 20, 2019  
 4 PAGE LINE CHANGE REASON  
 5 \_\_\_\_\_  
 6 \_\_\_\_\_  
 7 \_\_\_\_\_  
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 24 \_\_\_\_\_  
 25 Job 18141

Page 264

1 I, HARRIET MARIE LANE, have read the foregoing  
 2 deposition and hereby affix my signature that same is  
 3 true and correct, except as noted above.  
 4  
 5 \_\_\_\_\_  
 6 HARRIET MARIE LANE  
 7  
 8 THE STATE OF \_\_\_\_\_  
 9 COUNTY OF \_\_\_\_\_  
 10  
 11 Before me, \_\_\_\_\_, on this day  
 12 personally appeared HARRIET MARIE LANE, known to me (or  
 13 proved to me under oath or through \_\_\_\_\_)  
 14 (description of identity card or other document)) to be  
 15 the person whose name is subscribed to the foregoing  
 16 instrument and acknowledged to me that they executed the  
 17 same for the purposes and consideration therein  
 18 expressed.  
 19 Given under my hand and seal of office this  
 20 \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
 21  
 22 \_\_\_\_\_  
 23 NOTARY PUBLIC IN AND FOR  
 24 THE STATE OF \_\_\_\_\_  
 25 Job 18141

66 (Pages 261 to 264)

HARRIET MARIE LANE - 11/20/2019

Page 265

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF TEXAS  
3 HOUSTON DIVISION

4 HARRIET LANE, \*

5 Plaintiff, \*

6 v. \* C.A. No. 4:19-cv-00435

7 SIEMENS ENERGY, INC., \*

8 Defendant. \*

9 REPORTER'S CERTIFICATION

10 ORAL DEPOSITION OF

11 HARRIET MARIE LANE

12 NOVEMBER 20, 2019

13 I, CONSTANCE KOENIG, RPR, Certified Shorthand  
14 Reporter in and for the State of Texas, hereby certify  
15 to the following:

16 That the witness, HARRIET MARIE LANE, was duly  
17 sworn by the officer and that the transcript of the  
18 deposition is a true record of the testimony given by  
19 the witness;

20 That the original deposition was delivered to  
21 Ashlee Grant, Custodial Attorney.

22 That a copy of this certificate was served on  
23 all parties shown herein on \_\_\_\_\_.

24 I further certify that pursuant to FRCP  
25 Rule 30(f)(1) that the signature of the deponent:

\_\_\_\_\_X was requested by the deponent or a party  
before the completion of the deposition and that

Page 266

1 signature is to be returned within 30 days from the date  
2 of receipt of the transcript. If returned, the attached  
3 Changes and Signature Page contains any changes and the  
4 reasons therefore.

5 \_\_\_\_\_ was not requested by the deponent or party  
6 before the completion of the deposition.

7 I certify that I am neither attorney or counsel  
8 for, related to, nor employed by any of the parties or  
9 attorneys in the action in which this testimony was  
10 taken. Further, I am not a relative or employee of any  
11 attorney of record in this cause, nor am I financially  
12 or otherwise interested in the outcome of the action.

13 Certified to by me this, the 27th day of  
14 November, 2019.

15 \_\_\_\_\_  
16 CONSTANCE KOENIG, Texas CSR 6577

17 Texas CSR 6577

18 Expiration Date: 12/31/20

19 Firm Registration No. 10434

20 Hanna & Hanna, Inc.

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25

67 (Pages 265 to 266)

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